

CONGRESSional

APPENDIX.

APPENDIX

APPENDIX

TO THE

CONGRESSIONAL RECORD.

The Railways and the Republic.

A View of the Abuse of Trust and Power by the Great Railway Combines—Their Attack on the Constitutional Rights of American Citizens—Their Corruption of Public Officials, and the Menace Thereby to Our Free Institutions.

Our Republic can not long endure half slave and half free.—*Abraham Lincoln.*

This country is fast becoming filled with gigantic corporations, wielding and controlling vast aggregations of money, and thereby commanding great influence and power. It is notorious in many State legislatures that these influences are often controlling, so that in effect they become the ruling power in the State.

But such is the tendency of the times, and the belief is far too general that all men can be ruled with money, and that the use of such means is legitimate and proper.

In a free government like ours, the people will not long respect the laws if they lose respect for the lawmakers. (Report of special commissioner of House of Representatives, Forty-second Congress, third session, to investigate Crédit Mobilier bribery.)

"Taking land for railroad purposes is taking it for a public purpose, which is the sole justification for taking it at all. * * * The State could have no power to grant the right of appropriation, unless the use to which the land was to be put was a public one. * * * Where the grantees of this public franchise are railroad companies for interstate commerce, we think Congress is competent to forbid any agreement or combination, by means of which competition is to be smothered." (United States Supreme Court decision, rendered October 24, 1898, in "United States vs. Joint Traffic Association.")

SPEECH

OF

HON. ALBERT M. TODD,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, December 7, 1898.

The House having under consideration the bill (H. R. 7190) to amend an act entitled "An act to regulate commerce"—

Mr. TODD said:

Mr. SPEAKER: I offer the amendment which I send to the desk. The Clerk read as follows:

Strike out all after the enacting clause and insert:

"Provided, That it shall be unlawful for any common carrier engaged in interstate commerce to place, or attempt to place, upon the purchaser of any ticket for transportation any restrictions or limitations as to when or by whom any ticket may be used after having once been purchased from the common carrier issuing the same or any legally authorized agent. Any person thus legally holding any ticket, either by purchase or gift from any person, shall have the right to sell, give to another, or use the same with the like freedom which they lawfully enjoy in the use and possession of any other personal property: And provided further, That the purchaser of transportation for a distance of 5 miles or over shall be entitled to as low a rate per mile as is given for any greater distance, whether in the form of special or 1,000-mile tickets, or any other kind, all concessions, agreements, or limitations to the contrary notwithstanding: And provided further, That it shall be unlawful for any common carrier to issue, give, or offer to give to any public officer or to any other person not a bona fide employee of the company issuing the same any free pass or special privilege, emolument, or rates of transportation not enjoyed by the general public.

"Any common carrier violating any provision of this act shall forfeit any and all franchise or other rights given it by the Government, and shall pay for each offense, to the person or persons injured or discriminated against, the sum of \$500."

Mr. TODD. Mr. Speaker—

Mr. HEPBURN. I raise a point of order against that amendment—that it is not germane.

Mr. TODD. I should like the gentleman to state in what respect it is not germane. [A pause.] I think I have a right to insist that the gentleman state his reasons. Have I not, Mr. Speaker?

The SPEAKER. The Chair does not see how he can compel the gentleman from Iowa to do so. [Laughter.]

Mr. TODD. It really would be cruel to compel the gentleman to do an impossibility. [Laughter.]

The SPEAKER. This bill is a proposition to regulate the sale of tickets. The proposition of the gentleman from Michigan seems to be quite different.

Mr. TODD. But, Mr. Speaker, the purpose of this bill, as is well known, is more far-reaching than the mere regulation of the sale of tickets. Its real purpose is to provide one more stepping-stone for the onward march of the railroads to imperial power. Looking upon this bill as I do, believing that its real object is a menace to republican and democratic institutions, I protest, Mr. Speaker, that my amendment is germane to the bill.

The SPEAKER. The Chair listened to the reading of the amendment, and it seemed to the Chair not to be germane. The Chair sustains the point of order.

Mr. TODD. But, Mr. Speaker, there are provisions in my amendment against discrimination in the sale of tickets; against free passes; against any privilege or emolument being given by a common carrier to any public officer or any other person that is not enjoyed by the general public upon the same terms. Does the Speaker hold that those provisions are not germane to the bill?

The SPEAKER. If they had been separated from the rest of the amendment, and if they answered the description which the gentleman has given, the Chair would not so hold. But they are not separated. The proposition is encumbered with a great deal that has nothing to do with the topic under discussion.

Mr. TODD. If the Chair so holds, I will strike out such provisions, if he will name them.

Mr. HEPBURN. I ask the previous question upon the third reading and passage of the bill.

Mr. TODD. If the Chair will allow me, I think I am entitled to the floor.

The SPEAKER. The gentleman from Michigan [Mr. Todd] had the floor yielded to him by the gentleman from Georgia [Mr. Adamson].

Mr. TODD. Mr. Speaker, since the birth of our Republic there have been few, if any, measures before Congress, no matter by what alluring name they have been introduced, more fraught with danger to the public welfare and the perpetuity of our republican-democratic institutions than the bill now pending before us. A proper title for the measure would be "A bill to enthrone corporate greed, to wrest from American citizens the rights guaranteed them in the Constitution, and to confirm the railroad combine in imperial power." [Applause.]

I am aware, sir, that the bill pretends to be aimed at one class of citizens only—railroad-ticket brokers; but even were this true and were the object sought simply the destruction of the rights of one class of citizens only, no matter how humble their calling, that alone should stamp the measure with the just condemnation of every member who fittingly regards his sacred oath to protect the Constitution of his country. [Applause.]

But, sir, there is another and, if possible, a more momentous objection, to which I called attention when discussing the right to introduce my amendment, that the real purpose of the bill is to deprive every American citizen (except the friends of the corporations) of the inherent right to the peaceful, lawful, and free enjoyment of one kind of property—railroad tickets—creating new crimes and imposing new penalties for disposing of the same, investing the railroads with a semi-divine sovereignty, and confirming them in an oppressive and imperial power.

THE REAL PURPOSE OF THE BILL.

There can be no possible question, Mr. Speaker, but that the object of the bill is, by making it a crime to buy and sell railroad tickets except through the men whom the railroads appoint, to intrench the railroad pool behind another bulwark of law and enable them to advance and maintain rates already oppressive.

The time has come to call a halt. For years, resting neither day nor night—by insidious attacks upon rights, both public and private, through legislatures, executives, and courts, too often elected or appointed at their dictation—the railroads, with a few kindred corporations, have driven their car of Juggernaut over the people.

Their paid lobbyists throng the corridors of the Capitol, their "retained" agents occupy seats in both branches of Congress and fill nearly every office of high trust in the various departments of Government.

Impressed, then, as I am, with the transcendent importance of the issues involved—usurpation by corporations of the sovereignty which the Constitution vested in the people and to secure which we became a republic—I desire not only to defend those against whom this bill purports to be aimed, but to discuss the great railroad problem in its broadest sense, as related to the prosperity of the nation and the preservation of our free institutions.

THE TYRANNOUS RESTRICTIONS OF THE RAILROADS AS TO THE USE OF TICKETS IS RESPONSIBLE FOR ALLEGED EVILS OF SCALPING.

Sir, if the business of selling railroad tickets by brokers has been accompanied with illegal practices, the railroads themselves are the first parties in fault, because they have notoriously abused their powers and by unjust rates and despotic restrictions as to the time and manner of use, have compelled the people to violate obligations which they knew were wrongfully imposed. It is no good answer for the railroads to make that "if the people are not satisfied with their terms they should not buy the tickets," for the people are compelled to use the railroads in the discharge of duties and in the enjoyment of those blessings which the Creator has interwoven with our life and placed in the world for our use and happiness. Under what pretense of right, legal or moral, do the railroads place restrictions upon the lawful owner of a ticket as to when or by whom it may be used?

What would you think of it, Mr. Speaker, if when you purchased a dollar's worth of sugar or a barrel of flour, and had paid for it, the grocer demanded that you should eat it all yourself; that no portion should be enjoyed by your family or friends? Why, you would tell him he was drunk, crazy, or a villain, and you would use your property as your own interests demanded. But suppose all the grocers had combined in one great pool with countless millions of capital, and rather than starve you were forced to sign such an agreement, would that lessen the offense? Would you not say, "It is a violation of property rights, and by the help of God and the patriotism of American citizens we will resent it, and break the pool?"

And yet, Mr. Speaker, that is no more nor any worse than the railroads are constantly doing. In buying a railroad ticket, unless you pay an extra price, you are compelled to submit to tyrannous restrictions of various kinds, sometimes fifteen or twenty in number, providing, among other things, that none but yourself shall use the ticket, that you will use it on such a date, on such a train, and for a continuous trip! What business is it, sir, of Mr. Vanderbilt, if I buy a ticket to New York or Chicago over his lines, when I shall go, or how long I may stay, or where, by his grace, I can stop, so long as I pay my own bills? No more monstrous invasion of private rights was ever attempted by foreign despots, nor more contemptible narrowness by the petty bigots of the dark ages! [Applause.]

AN "EQUALIZING" AMENDMENT.

Mr. Speaker, in order to equalize the enjoyments of sovereignty,

ISSUED BY
CHICAGO, MILWAUKEE & ST. PAUL RAILWAY.
FORM D. T. 1. DROVER'S TICKET.

Mr. *Harley Kane* is entitled to
One Continuous Passage, commencing on date punched below,
from CHICAGO to *Minneapolis*
Void after the *10* day of *Dec.* 189*9*

No. 21102

SUBJECT TO THE CONDITIONS IN THE CONTRACT ON THE BACK HEREOF

General Freight Agent

9	98	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG.	SEP	OCT	NOV	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
99	1900																																										

DESCRIPTION OF PASSENGER:

SIZE:	Slim	★
	Medium	●
	Stout	★
HEIGHT:	Tall	★
	Medium	●
	Short	★
HAIR:	Light	●
	Gray	★
	Dark	★
BEARD:	Mustache	●
	Chin	★
	Side	★
	Full Beard	★
	None	●

I will, if this bill is to be passed, offer the following additional amendment:

"Provided, That whenever any railroad director shall buy a load of produce from a farmer, it shall be lawful for said farmer to compel said director to eat all of said produce on the same day as purchased, and at one continuous-trip meal." [Prolonged laughter and applause.]

Why do you laugh, gentlemen? Surely there should be nothing absurd in this to you who vote for the pending bill, or who quietly acquiesce in the same restrictions in railroad tickets!

MUSEUM OF CORPORATE INIQUITY.—OUT OF THINE OWN MOUTH WILL I JUDGE THEE, THOU WICKED SERVANT.

For the purpose of placing in the debates of Congress for the use of the future historian who shall write "The History of the rise of Corporate Imperialism," I will submit some railroad tickets purporting to be "special concessions" to the people. The first ones are reproduced from a book recently sent to all members of Congress by the railroads, entitled "Museum of ticket-scalping iniquity."

The first "freak" from this museum, which is shown in the accompanying cut, is a continuous-trip drover's ticket, the purchaser of which was required to sign an agreement on the back, with six provisions, in the presence of a signing witness. One of these stipulated, among other things, "If this ticket is sold or attempted to be sold, or given away, or is found in the hands of any other person, it shall have no value whatever and full fare shall be charged." But, not content with this signed contract, the ticket was made to show by punch marks the purchaser's "size,"

"height," "color of hair," and "beard." In the first grand division of physiognomy our sovereign citizen is punched "medium;" in the second, the same. But in "hair" division there appears to be an "unjust discrimination" against red-haired or bald-headed gentlemen, as they do not appear to be deemed worthy the notice of a corporation. [Laughter.]

"Whiskers" are more elaborately treated in five subdivisions, namely, "mustache," "chin," "side," "full beard," and "none." As our hero is punched as only sporting a mustache, he evidently was not the original long-haired and long-bearded "Populist!" [Laughter.] How kind it was of the railroad not to insist on a disclosure of his politics and religion also, to enable them to be punched in the same manner! [Renewed laughter.]

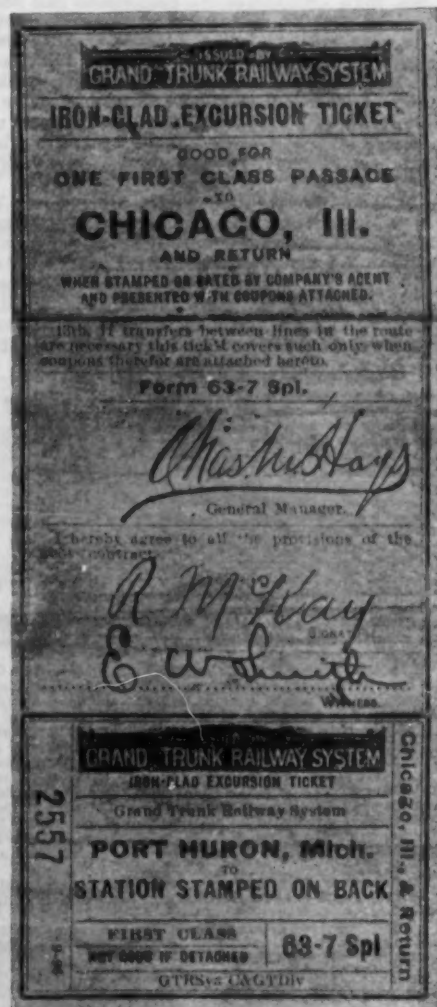
The next "freak" is worthy of note from the appropriate name given it by the railroads—"ironclad." How well it deserves this name is evident from the fact that the purchaser was compelled to agree in the presence of a signing witness to fifteen "ironclad" restrictions. "Ironclad!" Fit name both for the ticket and the corporation issuing it! This ticket has been exhibited by the railroads as evidence of forgery among ticket brokers; but by their own confession they connived at the forgery by securing a detective to assist in inducing the same.

If this measure is passed our streets will abound with these mental detectives hounding the footsteps of citizens, and snares will be laid by them, with the connivance of the railroads, to entrap those who refuse to assent to corporate rule.

Another ticket to which I wish to call special attention is the C. P. A. (Central Passenger Association) 1,000-mile ticket. It is

both "ironclad" and "armorclad." Our language has no words sufficiently vehement to express the outrage to every sense of honor, decency, and fairness; the abuse of power; the flagrant and shameless insult to American citizens by the enforcement of its barbarous restrictions, to some of which I desire your earnest attention as I relate my personal experience with it, which simply illustrates the experience of every private citizen whom circumstances compel to use such tickets.

En route to Washington last week to attend the session of Congress, stopping at a little station to connect with the Baltimore and Ohio Railroad, I asked the ticket agent for a regular 1,000-mile ticket, such as they had usually sold at \$30. He said they had stopped selling them, and only had the kind which I now show you, which was \$30, and which provides that none but the purchaser should ride upon the ticket; otherwise it was to be void and confiscated. But if I produced proof satisfactory to the railroad company that I had used it solely then they would refund me the \$10; but that I must pay this extra sum as a forfeit in ad-



vance for them to hold to guarantee my keeping the contract. What do you think of it, Mr. Speaker? What think you of it, brother Congressmen—you who do not ride on free passes? Shall American citizens submit to insults like this, to be treated indiscriminately as thieves and robbers, while knaves and felons, notorious for corrupting our Government through bribery, for gaining control of great railway lines built at the expense of the public, sit in judgment over us?

To continue my experience. I bought the ticket, paid \$30, signed the contract under protest, and exchanged the requisite number of coupons with the agent for a ticket limited to a continuous trip. On taking the train I paid for a berth in the sleeper, gave up my railroad ticket to the conductor, and allowed him to also examine my 1,000-mile ticket and its cover to assure him I was entitled to my ride. He told me, however, that I must also surrender this to his possession for the night, so that the succeeding conductor should see it. This I indignantly refused as an outrage,

and because on a former occasion the conductor forgot to return my ticket in the morning. He told me that the succeeding conductor, under the instructions of the company, would be compelled to awaken me from sleep and demand the other ticket. I replied that as he already had a full and complete ticket, I would not surrender it to him.

I finally told him that I was a member of Congress, but that I asked for nothing that all citizens could not rightfully demand. He then made the astounding confession that in his entire experience as conductor, "for over twelve years, only one other member of Congress had paid his fare!" Some time after midnight, notwithstanding the fact that I had paid full fare and \$10 additional, had paid \$3 extra for the privilege of needed unbroken sleep to fit me for public duties, my regular ticket also being in the possession of the conductor, I was awakened by the conductor, who apologized for so doing, because, under his regular instructions from the company, he was compelled to do so. I refused to show him the other ticket. I have recited these details, tedious though they may be, as the personal experience of an American citizen in attempting to prosecute a journey for which he has fully paid upon an American railroad.

THIS BILL, IF PASSED, WILL BE THE FORERUNNER OF OTHER TYRANNOUS LAWS.

Mr. Speaker, if Congress, at the behest of the railroads, passes this bill, it will next be in order for the sugar trust, the Standard Oil trust, the steel trust, and the countless other trusts, each of them, to demand a law making it a crime for anyone to dispose of goods bought of them, unless he receives a special license as "agent," no matter how extortionate the prices demanded. There is not a single argument urged by the railroads in support of this bill that is not equally applicable to every other trust or class of business, corporate or private. Then every grocer and every hardware or dry goods merchant who dares to assert his freedom and will not be bound by the "ironclad" contracts of the trusts must renounce his business or be subjected to heavy penalties for these newly created crimes!

The claim by the railroads that the reselling of tickets is accompanied by more dishonesty than is practiced in other businesses is simply used by these self-constituted "reformers" to influence public opinion.

Tiedeman, in his Limitations of Police Power, on page 293, says: "It is not contended that the business of ticket brokerage is itself of a fraudulent character. The business can be honestly conducted by honest men."

"If that (because some men act dishonestly in ticket scalping) were a justifiable ground for abolishing any business, many important, perhaps some of the most beneficial, employments and professions could be properly prohibited. There is no profession or employment that furnishes more abundant opportunities for the practice of frauds upon defenseless victims than does the profession of the law, and that profession has its ample proportion of knaves among its votaries, although the proportion is very much smaller than is popularly supposed. But it would be idle to assert that, because of the frequency of fraudulent practices among lawyers, the State could abolish the profession and forbid the practice of the law. There is no difference of principle between the two cases."

ATTACK UPON THE VERY FOUNDATION OF PROPERTY RIGHTS.

Blackstone says:

"The third absolute right of every Englishman is that of property, which consists in the free enjoyment and disposal of all his acquisitions without control or diminution, save by the laws of the land."

And Chancellor Kent says:

"The exclusive right of using and transferring property follows as a natural consequence of the perception and admission of the right itself."

"The right of property has been defined as 'the exclusive right of using and disposing of a thing as one's own.'" (Bouvier's Law Dictionary.)

THE RAILROADS IN THE NEW RÔLE OF MORAL REFORMERS.

As the railroads urged the passage of this bill so vehemently for the purpose of "moral reform," before further discussing the merits of the measure, let us stop a few moments and invoke the aid of official records for the darkest page yet written in our country's history by these pretended "reformers."

THE CORRUPTION OF SENATORS AND MEMBERS OF CONGRESS—THE UNION PACIFIC AND CRÉDIT MOBILIER INFAMY.

No darker page has ever been written in the history of any nation than that recording the wholesale bribery and corruption in connection with the building of the Union Pacific Railway. It is a history of crime stalking abroad at noonday, both in the corridors of the Capitol and the aisles of the Senate and House of Representatives. I shall now only briefly allude to this great

C. P. A. INTERCHANGEABLE		
1000 MILE REBATE EXCHANGE TICKET		
BO 10258		
24	THE CONTRACT AND CONDITIONS UNDER WHICH THIS TICKET IS ISSUED AND SOLD ARE AS FOLLOWS: 1. The original purchaser whose signature is affixed to the Contract bearing the same form and number as this ticket, and who is therefore the only lawful owner hereof, is entitled to receive 1000 miles of transportation in exchange tickets over the lines named on back cover under their local regulations and subject to all of the conditions of the contract. 2. This mileage ticket will not be honored on the train nor in checking baggage, but must be presented at the ticket office, and there exchanged for a continuous passage ticket, which will be honored in checking baggage and for passage when presented in connection with this mileage ticket. 3. In selling this ticket over the line of any other Company, the selling company acts as agent only, and assumes no responsibility beyond its own line. 4. This ticket is not transferable but is strictly individual to and valid only for the use of the original purchaser and lawful owner, whose signature is affixed to the contract; and no other person has or can obtain any title, rights or property whatever herein. If used or presented by any other person, or if altered or mutilated in any manner, it thereby becomes void, and all right thereto and all sums of money paid therefor shall be forfeited. 5. If this ticket is used in its entirety and exclusively by the lawful owner, and that fact is established by the record pertaining thereto, a rebate of ten dollars will be paid, provided the cover is returned to the Mileage Ticket Bureau of the Central Passenger Association, Chicago, Ill., within eighteen months from the date of its issue. No rebate will be paid if this ticket, or any portion of it, is used by other than its lawful owner.	25
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6	DEC.	
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4	1900	
3	1901	
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(Continued on next page.)

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crime, but will publish more complete extracts from the official records in the form of an appendix.

First, I call your attention to the famous "Crédit Mobilier" report. (House of Representatives, Forty-second Congress, third session, No. 77. Report of the select committee No. 1 to investigate the alleged Crédit Mobilier bribery, February 18, 1873.) This report created intense excitement at the time, implicating, as it did, among other public officials, one member of Congress who afterwards became President of the United States; one Speaker of the House of Representatives, afterwards Vice-President of the United States; two other members of Congress who afterwards became Vice-Presidents of the United States, besides several United States Senators. This report is exceedingly difficult to procure, copies having been destroyed as far as possible to remove from public view the great crime committed. I was told by an official of unquestioned integrity, whose office gave him knowledge of the fact, that within less than one hour after Mr. Garfield's nomination for the Presidency nearly every copy had been sequestered from the Capitol, he being among the number implicated.

In calling the attention of the public to this great blot in our national history it is not my purpose to reflect upon the personal motives of the men famous in our country's history who are shown by the official records to have been implicated. Indeed, the report of the committee, although not exonerating them from blame, does find criminal intent upon the part of but two members, whom it recommended for expulsion from office.

The facts, briefly stated, are these: The company called the Crédit Mobilier of America was incorporated in Pennsylvania, and in 1864 control of its charter and franchises had been obtained by persons interested in the Union Pacific Railroad Company for the purpose of using its powers as a construction company to build the Union Pacific road. In September of the same year a contract was made between the directors of the Union Pacific Company and one H. M. Hoxie (whom the evidence shows was used as a "stool pigeon" of the Pacific directors) for building 100 miles of the road at extravagant and fictitious rates, the profits of which were to be stolen from the public by the railroad directors,

who themselves had also become the directors of the Crédit Mobilier.

There were pending at the time in Congress bills for granting aid to the Pacific roads in money, land, and other concessions to the value of over \$100,000,000, and the directors of the railroad company wished to procure these immense grants, so that they, by dishonest contracts with their railroad company, could appropriate to themselves, as directors of the "Crédit Mobilier," these countless millions by criminal practices in dishonest contracts, by which all the money appropriated from the people to Congress could be stolen by these half dozen men, thus not only plundering the people, but also wrecking the great enterprise which had been authorized by Congress for the public good.

In order to accomplish these purposes Mr. Oakes Ames, a member of Congress, and one of the directors of both the companies mentioned, for the purpose of influencing their legislative action, distributed large quantities of the Crédit Mobilier stock to various Senators and Congressmen, some of which he received nominal pay for at less than quarter of its real value and for some of which he received no pay, telling them "that he would hold it for them as trustee until the profits would pay for the stock in full." So enormous were the profits by means of the dishonest contracts, that in less than two months the entire stock had paid for itself, with several hundred dollars additional. The following photographic reproduction from page 459 of the report mentioned shows how Hon. James A. Garfield, afterwards President of the United States, received \$1,271 in profits upon his thousand dollars of stock.

The copies of accounts exhibited herein were taken by the investigating committee from the famous "Private Memorandum Book of Oakes Ames," and were reproduced in the official report of the committee. An explanation of the account of Mr. Garfield as above is given by the committee on page VII of their report, from which I quote verbatim: "Mr. James A. Garfield, of Ohio. The facts in regard to Mr. Garfield as found by the committee are identical with the case of Kelley to the point of reception of the

(Contract and Conditions—Continued.)

6. In consideration of the Rebate to be paid to the original purchaser and lawful owner of this ticket, he or she agrees to sign his or her name to the Contract, and to the Mileage Strip and Exchange Ticket whenever requested to do so by the Agent or Conductor of any line named hereon.

7. The signatures it is required shall be affixed to the mileage strip and to the Commissioner's checks attached to mileage exchange tickets issued on account of this ticket, shall in each and every instance be made with pen and ink or with an indelible pencil.

8. This ticket must be presented to Conductor with the exchange ticket received from the Ticket Agent. An exchange ticket will not be accepted for passage unless it is accompanied by the mileage ticket upon which it was issued.

9. The Exchange Ticket issued hereon entitles the owner to passage only on trains advertised and designated to carry passengers, and only to and from stations at which such trains are scheduled to stop.

10. It is understood and agreed that no less than five coupons from the mileage strip will under the contract conditions governing the use of the ticket be accepted for any distance less than five miles.

11. Neither this ticket nor any exchange ticket issued hereon will be honored on the Limited Express trains of the Pennsylvania Lines. This ticket is good on the Chesapeake & Ohio Railway west of Huntington, except to and from stations located between Lexington and Louisville, and except stations located between Ashland and Denton. Good between Lexington and Louisville proper on detachment of 105 coupons. Not good between local stations east of Huntington, except for through passage between Washington and Huntington and west.

12. The further stipulations and conditions printed on the covers of this ticket constitute and form a part of this contract.

The above contract conditions are the same as have been signed by the original purchaser and lawful owner of this ticket and filed with the Commissioner.

This ticket expires one year from its date.

SELLING AGENT
STAMP HERE.

SELLING AGENT
STAMP HERE.

The date of sale of this ticket is indicated by stamp and punch marks. It expires one year from the date thus fixed.

ISSUED BY THE
CENTRAL PASSENGER ASSOCIATION.
Monadnock Building, Chicago.

BO 10258

H. M. Hoxie
CENTRAL PASSENGER ASSOCIATION.

check for \$329. He agreed with Mr. Ames to take ten shares of Credit Mobilier stock, but did not pay for the same. Mr. Ames received the 80 per cent dividend in bonds and sold them for 97 per cent, and also received the 60 per cent cash dividend, which together paid the price of the stock and interest and left a balance of \$329. This sum was paid over to Mr. Garfield by a check on a sergeant-at-arms, and Mr. Garfield then understood this sum was the balance of dividends after paying for the stock."

A more complete detail of the similar transaction with Congressman Kelley is given on the same page.

1908.

Tuesday, September 29.

William D. Kelley, on com 8750

Q. Have you anything more to say in reference to the purpose of that payment than you said before?—A. No, sir.

Q. Now turn to any entries you may have in reference to Mr. Garfield?—A. Mr. Garfield's payments were just the same as Mr. Kelley's.

Q. I find Mr. Kelley's name on the list of June dividend payments for \$329. That I understand you to be the amount of the June dividend after paying the balance due on his stock?—A. Yes, sir; the general statement made up for Mr. Garfield is as follows:

Garfield.

10 shares Credit M.	1,000
7 mos. 10 days.	43 36
	<hr/> 1,043 36
80 per ct. bd. div. at 97.	776
	<hr/> 267 36
Int't to June 20.	3 64
	<hr/> 271 00

1,000 C. M.
1,000 U. P.

Q. You received \$600 cash dividend on his ten shares?—A. Yes, sir. Q. And, as you say, paid him \$329, as the balance of the dividend due him?—A. I think I did.

Q. This general statement is not crossed off?—A. No, sir.

Q. In this list of names for the June dividend, Mr. Garfield's name is down for \$329.—A. That would be the balance due.

Q. The cross opposite his name indicates that the money was paid to him?—A. Yes, sir.

From page 457 the following is reproduced:

CREDIT MOBILIER

457

Q. That \$600 was paid by check on the Sergeant-at-Arms?—A. Yes, sir; and a corresponding entry made in the list of June dividends, which you have. The general statement is as follows.

Wm. B. Allison.	
10 shares Credit M.	1,000
Int't to May	40
	<hr/> 1,040
Div. in Bonds 80 pr. ct. sold at 97.	776
	<hr/> 267
Cash to balance.	270
1,000 C. M.	
1,000 U. P.	

It is crossed off, which shows that the matter has been finally settled.

It should be borne in mind that Mr. Ames, in placing this stock among members of Congress, in various letters which are published in the official report states that he is "putting it where it will do the most good to us."

On pages 4, 5, and 6 of the official report are various letters showing the transactions at Washington and their intent, from which I make the following extracts:

"WASHINGTON, January 25, 1868.

"H. S. McComb, Esq.:

"DEAR SIR: Yours of the 23d is at hand, in which you say Senators Bayard and Fowler have written you in relation to their

stock. I have spoken to Fowler, but not to Bayard. I have never been introduced to Bayard, but will see him soon. You say I must not put too much in one locality. I have assigned, as far as I have gone, 2 from Massachusetts, 1 from New Hampshire, 1 Delaware, 1 Tennessee, 1 Ohio, 2 Pennsylvania, 1 Indiana, 1 Maine, and I have 3 to place, which I shall put where they will do the most good to us. I am here on the spot and can better judge where they should go. I think after this dividend is paid we should make our capital \$4,000,000 and distribute the new stock where it will protect us. Let them have the stock at par and profits made in the future. The 50 per cent increase on the old stock I want for distribution here, and soon. * * *

"Yours, truly,

OAKES AMES."

It appears that about this time there were rumors of a Congressional investigation in connection with these corrupt transactions, but he "doesn't fear it." In his letter to Mr. McComb, five days after, he says:

"I don't fear any investigation here. * * * I have placed some with New York, or have agreed to. * * * I have used this where it will produce most good to us."

On page 6 is a list of the names to whom Mr. Ames had given or agreed to give stock, as follows:

"Blaine of Maine, 3,000; Patterson of New Hampshire, 3,000; Wilson of Massachusetts, 2; Painter, representative for Inq., 3; S. Colfax, Speaker, 2; Elliott, Massachusetts, 3; Dawes, Massachusetts, 2; Boutwell, Massachusetts, 2; Bingham and Garfield, Ohio; Schofield and Kelley, Pennsylvania; Fowler, Tennessee."

Mr. H. S. McComb was at the time testifying before the committee of Congress, having been summoned as a witness. He explains that the figures "2, 3," etc., meant 2,000 and 3,000. The following is from the testimony (page 6):

"Q. How came you to make that list?

"A. I wrote those names as Mr. Ames read them to me from his memorandum book. He sat one side of the table and I sat the other, in the office of the Union Pacific Railroad Company in New York, just as we sit opposite each other now at this table. When he read I wrote the names."

On page 460 occurs the following:

Q. There is one other gentleman whose name appears here—that of General Logan; what entry have you in regard to him?—A. I have his general statement, as follows:

Logan.	
10 shares C. M. A.	1,000
7 mos. 10 days.	43 36
	<hr/> 1,043 36
80 pr. ct. Div. at 97.	776
	<hr/> 267 36
Int't to June 20.	3 64
	<hr/> 271 00

~~1,000 U. P.
1,000 C. M.~~

Q. You gave him a check for \$329?—A. I gave him a check for \$329.

Q. This account of General Logan has been crossed off, showing that it has been adjusted?—A. Yes, sir.

From page 461 the following is reproduced:

CREDIT MOBILIER

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Henry Wilson.	
Rec'd of him	1,000
two bonds 1,000	1,532
Less 3 pr. cent.	70
	<hr/> 2,622
p'd Cash & Int't.	1,548
	<hr/> 1,074
2,000 Credit.	
2,000 U. P. stock.	

Q. That includes all who were then in Congress with whom you had dealings in reference to this stock?—A. Yes, and all who were ever in Congress, so far as I now remember, except Mr. Grimes, who was in the company originally, and therefore, I suppose, had the right to have stock in the Credit Mobilier.

On February 22, 1868, Mr. Ames wrote McComb (page 7):

"We want more friends in this Congress, and if a man will look into the law (and it is difficult to get them to do it unless they have an interest to do so) he can not help being convinced that we should not be interfered with."

Accompanying this report are 520 pages of evidence taken by the committee which reveals a state of gross carelessness or corruption which to the general public must seem incredible, when it implicates men in whom such high confidence was reposed. As already stated, I do not assume to judge the motive of others, but the unfortunate fact nevertheless remains that legislation disastrous to the American people was effected.

Assuming, then, that some of these men acted simply without due care, and with no corrupt intent, it becomes all the more important that all legislation should be subjected to the most searching investigation, so that the public welfare shall not suffer through the lack of care and vigilance on the part of those to whom the public have intrusted high and sacred responsibilities.

That the report of this committee may be free from the possibility of being charged with partisan prejudice, I call attention to the fact that a majority of the committee were from the same party, with which most of the persons implicated were allied; and no more patriotic words regarding the sacredness of public trusts have ever been uttered than by this committee, from which I quote (page x) as follows, commending them to the earnest attention of every citizen, both in public and private life:

"We do not think any member ought to feel so confident of his own strength as to allow himself to be brought into this temptation. We think Mr. Ames judged shrewdly in saying that a man is much more likely to be watchful of his own interests than those of other people. But there is a broader view still which we think ought to be taken. This country is fast becoming filled with gigantic corporations, wielding and controlling immense aggregations of money and thereby commanding great influence in power. It is notorious in many State legislatures that these influences are often controlling, so that in effect they become the ruling power of the State. Within a few years Congress had to some extent been brought within similar influences, and the knowledge of the public on that subject has brought great discredit upon the body, far more, we believe, than there were facts to justify.

"But such is the tendency of the time, and the belief is far too general that all men can be ruled with money, and that the use of such means to carry public measures is legitimate and proper. No member of the Congress ought to place himself in circumstances of suspicion, so that any discredit of the body shall arise on his account. It is of the highest importance that the national legislature should be free of all taint of corruption, and it is of almost equal necessity that the people should feel confident that it is so.

"In a free government, like ours, we can not expect the people will long respect the laws if they lose respect for the lawmakers."

The report of the committee was unanimously concurred in, the members composing it being the following: Hon. Luke T. Poland, chairman, Vermont; Hon. N. P. Banks, Massachusetts; Hon. George W. McCrary, Iowa; Hon. William E. Niblack, Indiana; Hon. William M. Merrick, Maryland.

CORRUPTION AND BRIBERY CONFIRMED—REPORT OF THE WILSON COMMITTEE.

On January 6, 1873, Congress appointed another select committee to investigate the alleged corruption in relation to the Pacific railroads. This report is known as "Report No. 78, Forty-second Congress, third session, Select Committee No. 2, House of Representatives, to make inquiry in relation to the affairs of the Union Pacific Railway Company and the Crédit Mobilier of America." This committee consisted of five members, as follows:

Hon. J. M. Wilson, chairman; Hon. Samuel Shellabarger, Hon. George F. Hoar, Hon. H. W. Slocum, and Hon. Thomas Swann. Like the first committee, the majority were of the same political party to which the persons implicated in the unfortunate transactions belonged. The report was unanimous, except that Mr. Swann believed that more vigorous measures should be instituted against several members of Congress who had been referred to in the report of the first committee, but against whom that committee did not recommend expulsion from Congress. This report covers 26 pages and is accompanied with 757 pages of testimony showing practices by men occupying high positions both as members of Congress and railroad directors, which would be worthy the study of any railroad wrecker who desired to perfect his education in lawbreaking.

From this report I quote the following:

"Your committee find themselves constrained to report that the moneys borrowed by the corporation under a power given them only to meet the necessities of construction and endowment of the road have been distributed in dividends among the corporators; that the stock was issued, not to men who paid for it at par in money (as the law strictly required), but who paid for it not more

than 80 cents on the dollar in road making; that of the Government directors some of them have neglected their duties and others have been interested in the transactions by which the provisions of the organic law have been evaded; that at least one of the commissioners appointed by the President has been directly bribed to betray his trust by the gift of \$25,000; that the chief engineer of the road was largely interested in the contracts for its construction, and that there has been an attempt to prevent the exercise of the reserve power in Congress by inducing influential members of Congress to become interested in the profits of the transaction. * * *

"The first contract for the construction of the road was made with one H. M. Hoxie, who seems to have been a person of little pecuniary responsibility. * * * It was accepted by the company September 23, 1864. On the 30th of September, 1864, Hoxie agreed to assign this contract to Thomas C. Durant, vice-president of the Union Pacific railroad companies, or such parties as he might designate. * * * This Hoxie contract and its assignment were a device by which the persons who were the active managers of the Union Pacific Railroad Company caused said corporation to make a contract with themselves. * * *

The chief engineer of the road, Peter A. Day, learning of these fraudulent transactions for bankrupting the property, and not desiring to be connected with such a conspiracy, promptly tendered his resignation.

The report of the committee abounds with facts of a most startling character, more sensational than the wildest fiction, but of which abundant evidence was found.

A THIRD INVESTIGATING COMMITTEE'S STARTLING DISCLOSURES—THE PAT-TISON REPORT.

On April 15, 1887, President Cleveland appointed a third commission to investigate the affairs of such railroads as had received aid from the United States. A most interesting report, astounding in its revelations, was made by Hon. Robert E. Pattison, of Pennsylvania, chairman of the committee, from which the following extracts are made:

"The construction companies or inside combinations that built five of the six roads have destroyed or concealed their books, the exception being the Central Branch, and the commission has been embarrassed in its work by the refusal or failure of the companies to produce the accounts relating to the actual cost of construction or to exhibit any paper or documents that would enable the commission to ascertain the truth as to this most important factor in the investigation. The books of the Crédit Mobilier, which built the Union Pacific from Omaha to Ogden; the books of the Contract and Finance Company, which built the Western Pacific from San Jose to Sacramento and the Central Pacific from Sacramento to Ogden; the books of Shoemaker & Co., who built the Kansas Pacific, and the accounts of John I. Blair, who built the Sioux City and Pacific Railroad—all these are missing.

"Their management has been a national disgrace. Since the date of their inception they have been conducted upon a purely speculative basis. Their permanent prosperity has been lost sight of, while their managers greedily strove for temporary advantage. For fourteen years the Union Pacific and the Central Pacific were practically free from competition for a stretch of 1,800 miles across the continent. They were independent of many of those disturbing elements which have been pleaded in extenuation of the vicious practices of railroads in other parts of the country, and yet they injected secrecy into their affairs, inaugurated favoritism and corruption into their management, and attempted to destroy competition. They organized pools for the professed purpose of securing certainty, uniformity, and permanency in freight rates, but they did not respect the pools which they entered into when immediate advantages could be obtained by a breach of good faith.

"Mr. Huntington testified before the commission that 'competition is killing,' and that there ought to be only one railroad for the whole country. The aided companies combined with others to tax the communities which they served, and they forced the consuming classes in all sections of the country to contribute to the payment of interest and dividend upon the fictitious capital which they had created. They increased the cost of living. They laid proprietary claim to the traffic of large sections of the country. They squandered millions of their money to 'protect' their territorial claims, while expending other millions in encroachments upon the territory claimed by other companies. They constituted themselves the arbiters of trade. They attempted to dictate the channels that trade should follow, and fixed rates of transportation that were extortionate. They charged all that the traffic would bear, and appropriated a share of the profits of every industry by charging the greater part of the difference between the actual cost of production and the price of the article in the market. They discriminated between individuals, between localities, and between articles. They favored particular individuals and companies. They destroyed possible competitors, and they built up particular localities to the injury of other localities, until matters had reached such a pass that no man dared engage in any

business in which transportation largely entered without first soliciting and obtaining the permission of a railroad manager. They departed from their legitimate sphere as common carriers and engaged in mining articles for transportation over their own lines. They exerted a terrorism over merchants and over communities, thus interfering with the lawful pursuits of the people. They participated in election contests. By secret cuts and violent and rapid fluctuations in rates they menaced business, paralyzed capital, and retarded investment and development.

THE MANAGEMENT CONTEMPLATED BY CONGRESS AND THE METHOD ACTUALLY PURSUED.

"Had the Pacific railroads been built and managed upon honest methods, had the Government loan been properly applied, these companies, regarded as a whole, could have declared dividends at the rate of 6 per cent per annum for eighteen years, from the date of actual completion to the present time, upon all the moneys that they would have been required to pay in to complete and equip the roads; they would have owned 2,495 miles of roads free from all debt, and worth \$124,600,000, upon an original outlay of less than \$35,490,381.44; three of them, the Union Pacific, Central Pacific, and Central Branch, could have repaid every cent of the principal and interest advanced by the Government to date, and could have reduced their charges to shippers to the extent of over \$140,000,000, or nearly \$8,000,000 per year.

"But they chose dishonest methods. At the outset they divided \$172,347,115 of fictitious capital, they dissipated over \$107,000,000 which should have been applied to the payment of the principal and interest of the Government debt, and they taxed shippers to the extent of over \$140,000,000, or nearly \$8,000,000 a year, to pay for the inflation of the capital of these companies and for the vicious practices that crept into their management.

THE RAILROADS AN "IMPERIUM IN IMPERIO"—DECISION OF THE UNITED STATES SUPREME COURT HOLDS THE RAILROAD POOL A VIOLATION OF LAW.

After the Supreme Court of the United States had twice decided that the "pooling" practices of railroads were illegal those corporations continued to ignore the law and the courts, and a case was brought against them for the third time, reaffirming the former decisions.

The law, known as the Sherman anti-trust law, which they were thus declared to have violated contained the following provisions: An act to protect trade and commerce against unlawful restraints and monopolies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, Every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several States or with foreign nations is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 2. Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding \$5,000, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

[Extracts from decision of the Supreme Court of the United States.]

The United States vs. The Joint Traffic Association. Appeal from the United States circuit court of appeals for the second circuit (New York). Decision October 24, 1898.

(The bill in the case was filed for the purpose of obtaining an adjudication that an agreement entered into between some thirty-one different railroad companies was illegal, and enjoining its further execution. These railroad companies formed most (but not all) of the lines engaged in the business of railroad transportation between Chicago and the Atlantic coast.)

"Taking land for railroad purpose is a taking for a public purpose, and the fact that it is taken for a public purpose is the sole justification for taking it at all. The business of a railroad carrier is of a public nature, and in performing it the carrier is also performing to a certain extent a function of government which, as counsel observed, requires them to perform the services upon equal terms to all."

"The building and operation of a railroad thus required a public franchise. The State would have had no power to grant the right of appropriation unless the use to which the land was to be put was a public one."

"Where the grantees of this public franchise are competing railroad companies for interstate commerce we think Congress is com-

petent to forbid any agreement or combination among them by means of which competition is to be smothered."

"As we have twice already, deliberately and earnestly, considered the same arguments which are now for the third time pressed upon our attention, it could hardly be expected that our opinion should now change from that already expressed."

"The judgments of the United States circuit court and United States circuit court of appeals are reversed, and the case remanded to take such further proceedings therein as may be in conformity with this opinion—holding the agreement a violation of law."

The railroads will now make an onslaught on Congress to repeal the anti-trust law, so that they can continue their unjust practices.

It has given me pleasure, Mr. Speaker, to listen to the able arguments against this bill by eminent members on both sides of the House. None have perhaps been more eloquent and vigorous than those of some Republican members; so I will surely not be charged with partisanship when I refer to the splendid defense of the people two years ago by the distinguished gentleman from New York, himself a Republican, Mr. MAHANY, when he said in his address: "It almost seems that what our opponents charged against us is about to be verified by our official conduct here, that the saturnalia of corporate greed, under the direction of the Republican party, is to take possession of the Republic."—*Congressional Record*, February 27, 1897, page 2472.

THE ANTI-SCALPING LAW DECLARED ILLEGAL BY THE NEW YORK COURT OF APPEALS.

When a law of this nature, enacted in the State of New York, for the same purpose, was recently under consideration in the court of appeals (in the case of "The People of the State of New York vs. The Warden of the Prison of the City of New York") that court declared the law unconstitutional, as an infringement of the inherent rights of citizens, and in its decision (November 22, 1898), among other things, says:

"Before referring to the provisions of the Constitution that it is confidently asserted condemn such legislation, it may not be out of place to note that the granting of monopolies or exclusive privileges to corporations or persons has been regarded as an invasion of the rights of others to follow a lawful calling and an infringement of personal liberty from the times of the reigns of Elizabeth and James. The statute of 21 Jac., abolishing monopolies, has been from the time of its enactment regarded as a statutory landmark of English liberty, and that nation has jealously preserved it. It was a part of that inheritance which our fathers brought with them and incorporated into the organic law, to the end that the lawmaking power shall be restrained from interference with it."

"In this connection the language employed by Mr. Justice Field in *Butchers Union Co. vs. Crescent City Co.* (111 U. S., 746, 758, 757) is most instructive. 'As in our intercourse with our fellow-men certain principles of morality are assumed to exist, without which society would be impossible, so certain inherent rights lie at the foundation of all action, and upon a recognition of them alone can free institutions be maintained. These inherent rights have never been more happily expressed than in the Declaration of Independence, that new evangel of liberty to the people:

"We hold these truths to be self-evident—that is, so plain that their truth is recognized upon their mere statement—that all men are endowed—not by edicts of emperors, or decrees of Parliaments, or acts of Congress, but 'by their Creator, with certain inalienable rights—that is, rights which can not be bartered away, or given away, or taken away except in punishment of crime—and that among these are life, liberty, and the pursuit of happiness, and to secure these—not grant them, but secure them—governments are instituted among men, deriving their just powers from the consent of the governed."

"Among these inalienable rights, as proclaimed in that great document, is the right of men to pursue their happiness, by which is meant the right to pursue any lawful business or vocation in any manner not inconsistent with the equal rights of others which may increase their prosperity or develop their faculties, so as to give to them their highest enjoyment. The common business and callings of life, the ordinary trades and pursuits, which are innocuous in themselves and have been followed in all communities from time immemorial, must, therefore, be free in this country to all alike upon the same conditions.

"The right to pursue them without let or hindrance, except that which is applied to all persons of the same age, sex, and condition, is a distinguishing privilege of citizens of the United States and an essential element of that freedom which they claim as their birthright."

"In this country it has seldom been held, and never in so odious a form as is here claimed, that an entire trade and business could be taken from citizens and vested in a single corporation. Such legislation has been regarded everywhere else as inconsistent with civil liberty. That exists only where every individual has the

power to pursue his own happiness according to his own views, unrestrained except by equal, just, and impartial laws.

"From the opinion of Mr. Justice Matthews in *Yick Wo vs. Hopkins* (118 U. S., 356, 370) the following is taken: 'But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts bill of rights, the government of the Commonwealth "may be a government of laws and not of men."

"For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life, at the mere will of another, seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself."

"All laws, therefore, which impair or trammel these rights, which limit one in his choice of a trade or profession, or confine him to work or live in a specified locality, or exclude him from his own house, or restrain his otherwise lawful movements (except as such laws may be passed in the exercise by the legislature of the police power, which will be noticed later), are infringements upon his fundamental rights of liberty, which are under constitutional protection."

"In *People vs. Marx* (99 N. Y., 377) this court declared unconstitutional a statute that prohibited the manufacture and sale of any substitute for butter or cheese produced from pure, unadulterated milk or cream. Judge Rapallo, speaking for the court, said: 'Among these no proposition is now more firmly settled than that it is one of the fundamental rights and privileges of every American citizen to adopt and follow such lawful industrial pursuits, not injurious to the community, as he may see fit.'

"The term 'liberty,' as protected by the Constitution, is not cramped into a mere freedom from physical restraint of the person of the citizen as by incarceration, but is deemed to embrace the right of man to be free in the enjoyment of the faculties with which he has been endowed by his Creator, subject only to such restraints as are necessary for the common welfare."

"If the law were otherwise, no trade, business, or profession could escape destruction at the hands of the legislature if a situation should arise that would stimulate it to exercise its power, for in every field of endeavor can be found men that seek profit by fraudulent processes. Transportation tickets have been forged, it is said; so have notes, checks, and bank bills. Railroad companies are no more bound to honor forged tickets than the alleged maker of a forged note is bound to pay it."

"An innocent person who suffers by parting with his money on a forged ticket has his remedy against the vendor just the same as has the bank that discounts a forged note. Such instances might be multiplied, but it would serve no good purpose, for it is well known that no business can be suggested through which innocent parties may not be occasionally victimized. But, because of that fact, honest men can not be prevented from engaging in their chosen occupations."

"Liberty, in its broad sense as understood in this country, means the right, not only of freedom from actual servitude, imprisonment, or restraint, but the right of one to use his faculties in all lawful ways, to live and work where he will, to earn his livelihood in any lawful calling, and to pursue any lawful trade or avocation."

THE METHODS BY WHICH THE RAILROADS SECURE PETITIONS FAVORING THEIR MEASURES.

As the railroads have used the argument that many religious societies, clergymen, benevolent and labor organizations, and the press are urging the passage of this measure, I desire to call attention to the shameless methods of deception and coercion by which they have secured such petitions.

Perhaps the most disgraceful of the letters sent out by the railroads which have come to public light in this discussion is that to which I will first call attention. It will be noticed that they urge prompt action by overwhelming influence upon members of Congress, because, as they say, if the bill is not passed at once it can not be for several years, since, if left for action until near the close of their terms of office, they would not, in the face of a coming campaign, dare to go before the people. Or, to quote their exact words:

"After the close of this session the members then commence a strong canvass for reelection, and, unless the feeling is overwhelmingly expressed in our favor, they will be lukewarm in order to avoid criticism from the opponents of the measure in their respective districts."

It will also be noticed that "the cooperation of the clergy is essential, provided they largely dwell upon the fraudulent character of the ticket-scalping business." It will be noticed they will not publish the views of any clergymen who dare assert their convictions as opposed to the measure.

After mentioning seventeen members of Congress who can be relied on, they mention nine other members who, as they say, "have as yet been untried," and on these latter-named gentlemen "it is absolutely necessary that all possible influence be brought to bear by telegrams or letters."

I submit the letter in full, so that it can not be said that its trend or character can possibly be misunderstood:

"ANTI-SCALPING BILL, HEADQUARTERS,
"SHOREHAM HOTEL,
"Washington, D. C., December 10, 1897."

"Mr. L. P. Farmer, commissioner, 145 Liberty street, New York; Mr. H. E. Weeks, chairman Northeastern Passenger Association, Boston, Mass.; Mr. F. C. Donald, commissioner Central Passenger Association, Chicago; Mr. B. D. Caldwell, chairman Western Passenger Association, Chicago; W. W. Kent, chairman, 733 Security Building, St. Louis; Joseph Richardson, chairman Southeastern Passenger Association, Atlanta, Ga."

"GENTLEMEN: The House Committee on Interstate Commerce will give a hearing on the anti-scalping bill on Friday, December 17. This committee consists of 17 members, 8 of whom, viz, HEPBURN, FLETCHER, SHERMAN, WANGER, JOY, CORLIES, BENNETT, and STEWART, served in the Fifty-fourth Congress and were favorable to our measure. The other 9 members, viz, Simpkins, DAVEY, HINRICHSSEN, ADAMSON, BARHAM, HAWLEY, MANN, McALEER, and DAVIS, are new members who have as yet been untried; and on these latter-named gentlemen it is absolutely necessary that all possible influence be brought to bear by telegrams or letters before the date of meeting to secure their favorable cooperation in passing the bill favorably from the committee to the House Calendar. Can I therefore suggest that you will promulgate this information to each and every member of your association, in order that they may take immediate action?"

"I would also request that correspondence be opened at once with the president or secretary of each and every society, organization, etc., requesting reduced rates for conventions and meetings, with a view that you secure the aid of said organizations in passing favorable resolutions, addressed to Senator CULLOM and Representative HEPBURN, and also for individual letters from prominent members of said organizations addressed to their respective Senators and Representatives, and, so far as possible, keep this office advised of action taken."

"The enemy are sending in petitions from minor labor organizations and letters from country merchants and various persons in opposition to the bill."

"After action on the 17th it may be necessary to again organize throughout the country for an aggressive campaign in securing petitions in every town along the lines of railways."

"Should this plan be adopted, and I hope it will, it would be wise to have each local agent instructed to secure at the head of each petition the name of the most prominent man in his town, inasmuch as the CONGRESSIONAL RECORD reprints the petition, as follows: 'Petition from John Brown and 25 other citizens of — town.' You will understand by this that the leading man should be one of influence, in order to command attention. The agent should also be instructed to totalize the number of names on each petition and forward a postal card addressed to this bureau, stating as follows: 'Petitions of John Brown and — others, forwarded to Senator — and Representative — this — date.' This is essential, inasmuch as we propose watching the RECORD, and if within a reasonable time the petition is not shown in the RECORD, we will undertake to follow it up by personal canvass and secure its recognition."

"This work is most useful, as from time to time we are unable to show the chairman of the committee in the House and in the Senate, or the Senator or Member in immediate charge of the bill, the totalization of people who are in favor of the measure."

"The cooperation of the clergy is essential, provided they largely dwell upon the fraudulent character of the ticket-scalping business, also from leading merchants, manufacturers, editors, and other influential citizens."

"If we could receive copies of letters from the most influential clergymen and merchants for publication in circular form, it would be most beneficial."

"The scalpers are here in force and are systematically organizing a strong opposition."

"I trust that all members of your associations will not overlook the fact that unless the bill is passed in both Houses this session it will be, in our opinion, almost impossible to secure favorable action for some years. After the close of this session the members then commence a strong canvass for reelection, and, unless the feeling is overwhelmingly expressed in our favor, they will be lukewarm in order to avoid criticism from the opponents of the measure in their respective districts."

"We would also respectfully request that all general passenger agents, in addition to the instructions given to local agents, will thoroughly canvass the matter with the traveling passenger agents

to promulgate this measure throughout the country, securing whatever aid they can with business people generally, and also to closely work up the matter with local agents.

"In order to thoroughly acquaint the traveling passenger agents with the bill, principles of same, etc., we would suggest that each general passenger agent call his force together and advise them fully upon the necessity of careful and efficient work.

"At some length we have outlined the general work required, feeling assured of the hearty cooperation of all officials of the railroads throughout the United States.

"Very truly, yours,

"(Signed)

M. C. ROACH,

"(Signed)

JAS. V. MAHONEY,

"Bureau Committee."

In this connection I desire to call the attention of Congress to the fact that nearly every one, if not all, of the great labor organizations of the country—the traveling men's associations and many educational and philanthropic organizations—at their national conventions, as well as their branch organizations, representing the great producing and progressive forces of the nation and the interests of a great majority of the entire population of this country, have sent to Congress remonstrances against this bill. I myself on one single day introduced over sixty such memorials. Shall not the voice of these countless millions, to whom our country owes its great advancement, be heard?

In a circular letter of the Central Passenger Committee, dated Chicago, February 8, 1897, addressed "to the members of the Central Passenger Committee," they urge them to instruct their agents to bring all possible pressure to bear upon clergymen, as well as the public in general, in support of their measure, and inclose a printed form for a letter to clergymen, of which they recommend copies to be sent broadcast. From this letter I make the following extracts:

"CENTRAL PASSENGER COMMITTEE,

"OFFICE OF THE COMMISSIONER,

"MONADNOCK BUILDING,

"Chicago, February 8, 1897.

"F. C. DONALD, Commissioner.

"Rev. _____,

"REVEREND SIR: We take the liberty of inclosing herewith copies of two forms of petition, which are self-explanatory. As you perhaps understand, the existing practice of the manipulation and scalping of railway tickets by a class of men known as 'ticket scalpers' has seriously militated against the long-existing custom of the railways of granting reduced fares to ministers of the gospel. The manipulation of tickets issued at reduced rates to clergymen and the certificates on which such fares are obtainable and which have been lost or stolen is commonly practiced by ticket brokers and scalpers, thereby causing serious losses to the railroad companies granting concessions to the clergy and unduly reflecting upon the ministers to whom the concessions are granted."

"In view of the mutuality of interest and the fact, moreover, that the enactment of the bill will remove opportunity and temptation to wrongdoing on the part of railway employees and others disposed to wrongfully appropriate and misuse the various forms of passenger transportation issued by railway companies, we respectfully and earnestly solicit your good influence and efforts in the direction of securing the passage of the bill, and hope you may consistently consent to sign the inclosed petition and secure as well the signatures of the influential members of your pastorate and community for transmission to the Senators and Representatives in Congress for your State.

"Yours, very truly,

"(Signed)

F. C. DONALD,

"Commissioner."

It is needless to call attention to the implied threat or intimation that should the clergyman not lend his influence to the bill his half-rate ticket may be suspended.

Among the replies received which the anti-scalping committee have distributed to members of Congress and the public is one to which I wish to call especial attention, as it shows to what extent a person holding the sacred office of a minister of the gospel may forget his high mission. This letter contains an engraving of the church of which the writer is pastor in the city of Washington.

The following is the letter:

"WASHINGTON, D. C., February 16, 1898.

"To the honorable Senators and Representatives,

"United States Congress:

"The bill now pending before Congress, known as the anti-scalping bill, must now come up for final action. In the name of a large congregation, whose opinion I have carefully gathered, it is freely expressed by all honest and conscientious men that the

traffic in railroad tickets, known as scalping, ought to be suppressed upon these grounds:

"First. It is a species of swindling.

"Second. It is productive of gross immorality, inspiring only systematized theft.

"Third. If this bill is defeated, it will give license to a vast horde of unprincipled men to believe that the National Congress indorses the vicious and ruinous ideas that corporations have no rights that deserve protection and that to swindle a railroad is justifiable.

"In the name of all that is sacred and good government, give your vote in favor of the bill.

"Most fraternally,

THOMAS C. EASTON."

This letter so pleased the anti-scalping committee that they requested permission to print it for publication. In reply to this request the reverend gentleman sends the following:

"THE EASTERN PRESBYTERIAN CHURCH,

"Washington, D. C., February 21, 1898.

"MY DEAR FRIEND ROACH: Yours at hand. It gives me great pleasure to aid you in any way possible. You are at liberty to print, circulate, and use the letter as you may deem best.

"Yours, at command,

"THOMAS C. EASTON."

"Yours at command!" Is it possible, then, that the pastor of a great metropolitan church confesses that he is "at the command" of a railroad committee who are seeking to destroy the liberties of the people? When he entered the high calling of minister of the gospel it was presumed by the members of his church and the Christian public that his life and services were to be at the command of his Divine Master. How could he, then, so prostrate his divine calling as to use his influence to secure for his "dear friend Roach" the enactment of a law which the highest courts of various States and the ethics of the Christian religion condemn as contrary to justice and humanity!

SUPPRESSING THE LIBERTY OF THE PRESS.

A circular letter of similar intent was sent out by the railroads March 30, 1898, urging the cooperation of the press in their desired legislation. From this letter I quote:

"DEAR SIR: If, under the terms of our contract with your paper, you can consistently, by strong editorial or otherwise, make mention of the substance of the information given below, and which will urge upon your Representatives in Congress early and favorable action upon these measures, it will be appreciated by the undersigned.

"By formal action practically all of the transportation companies of the country and boards of trade and kindred commercial organizations and religious and other societies have sanctioned the bill known as the 'anti-scalping bill,' and urged upon Congress the expediency and justice of its enactment."

"The ticket-scalper's methods compel the railways, in a reasonable protection of their interests, to decline meritorious applications for excursion fares, particularly when such concessions involve important commercial centers or movements of large bodies of people.

"Yours truly,
"(Signed) A. H. HANSON,
"General Passenger Agent."

I have discussed this great railroad question in its various aspects, being more and more impressed each succeeding year with its transcendent importance.

From many years of careful study, and from a large experience in connection with the railroads, it is my firm conviction that their great power, with that of a few allied corporations, already threatens the permanency of our Republic. I believe that unless their march to imperialism can be promptly stopped by honest and fearless legislation, which shall compel them to recognize public rights, then Government ownership should quickly be an accomplished fact. Time does not permit me now to discuss that question, which must be left to the enlightened and thoughtful consideration of the American people.

APPENDIX A.

[From Hudson's The Republic and the Railways, Chapter III.]

THE HISTORY OF A COMMERCIAL CRIME.

Victor Hugo tells the story of the betrayal of popular rights and of the erection of an absolute, corrupt, and sycophantic empire on the ruins of representative government, and calls it "The History of a Crime." In describing an assault on commercial liberty as successful as that Louis Napoleon upon political liberty, prosecuted by methods as unscrupulous as his, and the establishment, on the ruins of independent industries, of a

commercial absolutism as merciless and corrupt as was the political absolutism of the Second Empire, it seems peculiarly appropriate, adapting Victor Hugo's phrase, to entitle the account "The History of a Commercial Crime."

The Standard Oil Company, indeed, embodies the commercial crimes of the past decade. Its vast wealth has been accumulated in less than fifteen years, by speculative manipulations, by bribing legislators, and by distorting law to deny to one man the privileges given to another. Its history illustrates, step by step, the extent to which the greed for wealth can corrupt commercial morality, pervert law, and betray the interests intrusted to its protection. The methods by which this company acquired its power, and those by which it exercises that power, from its greatest operation to the selling of a single barrel of oil, show the baneful results of permitting the exclusive control of a great commercial interest to be vested in a monopoly which can oppress the consumer or the producer alike. Throughout the course of intimidation, corruption, defiance of commercial and statute law, and contempt of public justice that marks the rise of the Standard monopoly, one fact is preeminent: This monopoly was called into existence and sustained in its most odious tyranny by the persistent and deliberate discriminations of the railways in its favor. Not only the \$100,000,000 which that corporation has gathered out of the oil trade in the last fifteen years, but its dictatorial power, its unscrupulous crushing of opposition, its corruption of public servants, its control of the speculative features of the business, and the favoritism and sycophancy which are essential accompaniments of its absolutism, are the direct results of the advantages which the leading railways of the country gave it by carrying its freights on terms which rendered competition practically impossible. So that while greed, dishonesty, speculative combinations, and disregard of private and public rights are all represented in that aggregation of wealth and injustice, it is signally the embodiment of the gigantic wrongs which the railways can inflict and have inflicted through the power of discrimination.

In its inception as a corporation for the refining of petroleum, the Standard Oil Company, formed at Cleveland, Ohio, some fifteen years ago, under a charter from the State of Ohio, was not essentially different from its two-score of competitors in the same business. Its capital was \$300,000, enough to give it a leading but not a commanding position in the trade, there being many other refiners of equal or even superior wealth.

But it was controlled by men who perceived how one refining company might be made master of the trade by combining the railways and by binding them to its interests with indissoluble ties. No doubt refiners, as well as other business men, had long before discerned the advantages to be gained by securing the favor of a railway line and obtaining special rates for transporting crude petroleum from the oil regions to the refineries and the refined product to the seaboard or interior markets. But it is generally believed that the mind of John D. Rockefeller first comprehended the value of a scheme to unite the favors of all the railways upon his company. His conception first took form in the famous "South Improvement Company," an organization for the avowed purpose of controlling the freight business of the oil regions. It induced the three principal trunk lines then engaged in carrying oil to give it, under a secret contract, rebates ranging from 40 cents to \$3.07 per barrel and was guaranteed "against loss or injury by competition."

In return for this favor it was to insure the railways a fair division of the freight traffic of the oil trade. The contract provided also that it should receive a rebate on all oil carried for other parties, which, as no one else could ship oil in competition with such a favored shipper, appears to be supererogatory. The contract was signed by the South Improvement Company on the one hand and by the Pennsylvania, the Erie, and the New York Central trunk lines on the other hand. The premature publication of the scheme proved its ruin. The oil producers of that day were an independent class of men, and were not disposed to seek the thrift that would follow judicious fawning. A storm such as has never been known before or since in connection with commercial questions arose throughout the oil regions. Public meetings, from one end of the district to the other, thundered out defiance. Rather than submit to the yoke of the South Improvement Company they would burn every tank and raze every derrick in the oil regions. Whether or not the threat would have been carried out, it showed the railways such a spirit as would create other means of transportation if the South Improvement project were persisted in. The attempt to create a monopoly fell, therefore, before the popular clamor.

But the idea remained. The ingenious and persistent mind which had conceived the South Improvement scheme perceived that the work must be carried out gradually, and a control obtained, step by step, over the railways and the petroleum trade alike that would defy public opinion. It would be interesting, as a psychological study, to know whether the conception from which the Standard project sprang included at first the crush-

ing out of all rivalry, and the control of the markets, which it finally attained;* or whether it only sought the advantages immediately in view, and thence was led on from one point to another, for the maintenance and extension of its power. It is probable that the genius that inspired it saw at first only the prizes directly before it; but as Napoleon at the Bridge of Lodi foresaw his conquest of Europe, it is possible that this Napoleon of the petroleum trade felt, in the opening of his career, an ambition proportionately as inordinate as that of his prototype. No matter whether or not the end was seen from the beginning, the methods used were such as both achieved immediate gain and laid the foundations of the immense monopoly afterwards established, without exciting the public alarm.

No less interesting would be a full knowledge of the methods by which the railways were first bound to the Standard scheme. But no evidence attainable by the public exists on that point, and the matter must be left to conjecture.

The ability to employ lake transportation on a large share of its shipments from Cleveland has been alleged as the first consideration by which the Standard obtained its vital advantages in rates. This is a sufficient explanation of lower rates at Cleveland than elsewhere, but does not afford any ground for the preference given to the Standard over its rivals at that point. The fact that ever since then the support given by the New York Central and Erie lines to the Standard's monopoly of the refining trade has been unwavering, while the Pennsylvania Railroad has at times in intervening years made vigorous efforts to throw off the yoke, may be taken as an evidence that the ties which connected the two former roads to the scheme were closer and more firmly knit than those of the latter. It is possible that the Standard managers at the start relied on the universal rule of the railways to give the lowest rates at competitive points to insure that the Pennsylvania Railroad would maintain their advantage at Cleveland over their Pittsburg rivals. The main fact that is public property is, that by the summer of 1874 the railways were fully committed to the interest of the Standard. The majority of the refineries in Cleveland were either consolidated under the charter of the leading corporation or leased to it for a term of years. Near the opening of its career, too, the Standard obtained a controlling interest in the United Pipe Lines Company, already the main transportation company for conveying oil in pipes from the wells to the railways, and which subsequently obtained absolute control of that business.

The result of these combinations became manifest in 1874, affecting the relative positions of the rival refining interests in the market for exporting refined petroleum from the seaboard.

On October 1, 1874, the railways established the rate of \$1.90 per barrel to New York† for all refineries, whether located in Pittsburg, Cleveland, or the oil regions. This rate affords a marked illustration of the ingenuity with which railway rates can be made to oppress legitimate and independent industry. Apart from the question whether the same charge was really made to the Standard and other refineries, it utterly discarded the element of distance in the cost of service. The Pittsburg refineries, which required a haul of 60 to 75 miles for the crude oil from the wells, and of 350 miles for their refined product from the refineries to the nearest point of export, were deprived of their legitimate advantage over the Standard refineries at Cleveland, which required a haul of about 250 miles farther. This was asserted to be for the avoidance of discrimination, but it was nothing but a defiance of the principle that like charges should be made for like service. It was equivalent to declaring that industries located where they can be carried on most economically shall be deprived of the legitimate benefit of the foresight which placed them there, and reduced to an equality with those im providently built where they require extra and unnecessary transportation. It denied to the public the cheapness in its staples which comes of producing them where they can be most economically produced.

In principle the railways might as well have claimed that it would be just to carry the crude oil from the Pennsylvania wells to a refinery in the Rocky Mountains and thence back to the seaboard at the same rate as to the Pennsylvania refineries. If the same rate had been charged to the Standard and to its Pittsburg rivals, it would have been a discrimination against the latter. But the fact soon became apparent that the Standard refineries obtained further advantages, which enabled them to undersell their

*A story, sometimes heard in the undercurrents of trade gossip, tells how the originator of this scheme presented himself at a meeting of bank directors in Cleveland and demanded an advance of hundreds of thousands of dollars. Being asked what security he offered for so large a loan, he replied that his security was simply a monopoly of the petroleum trade, and presented such evidences of his ability to obtain that monopoly that the bank directors were convinced and furnished him the sinews of war for his career of conquest. The story is not authenticated and is, perhaps, a rather skillfully drawn bit of ex post facto fiction. But it is interesting as illustrating the recognition of the fact in business circles that the means adopted to give the Standard Oil Company success at the outset of its career were well calculated to insure it the final attainment of its subsequent monopoly.

† New York investigating committee's report, p. 42; testimony, p. 3417.

competitors in the export markets. The establishment of the new rate was a virtual prohibition upon exports from the Pittsburgh refineries, and they were confined to the supply of the interior trade, which absorbed a mere fraction of their previous product, until they could devise some means of relief. The plan for relief was found in the project to lay a pipe line from the oil regions to Pittsburgh.

To understand this project it must be stated that the rates were so levied that all crude oil brought to the Pittsburgh refineries by the Allegheny Valley Railroad must, when refined, be taken east over the Pennsylvania Railroad. That is to say, a single rate was charged as a whole from the oil regions to the seaboard, and the Pittsburgh refiner was required to pay the entire rate, even if he shipped his refined oil by another route. The object of this device was to prevent the Baltimore and Ohio's line to Pittsburgh from competing for the oil traffic. If an independent pipe line could be put into operation, the Pittsburgh refineries could receive their crude oil by that line and the Baltimore and Ohio could compete for the transportation of the refined product. This would not only put the Pittsburgh refiners on an equal footing, but would give them an undoubted advantage.

It was believed that the saving on the transportation of crude oil to the refineries would be two-thirds of the prevailing rate, while the additional saving by the shorter haul from Pittsburgh to the seaboard would make that city the refining center of the country instead of Cleveland. The project took shape in the Columbia Conduit Company, which began in that year to lay its pipes from the oil wells to the Pittsburgh refineries.

That the estimate of the high importance of this measure in sustaining competition was not confined to its supporters is demonstrated by the steps which the Standard and the railways took to defeat it. The laws of Pennsylvania at that time afforded them a means of opposition which they used to the utmost. These laws gave to pipe lines in the petroleum-producing counties the power to appropriate the right of way for their pipes, just as the railways do under the eminent domain of the State.

But this power was confined to the oil-producing regions, so that the right of way to Pittsburgh could only be obtained by purchase without the aid of the State's eminent domain. No difficulty was experienced in obtaining the consent of property owners to bury pipes under their fields. The new line was laid without opposition until it reached the north bank of the Allegheny River, where, within sight of the Pittsburgh refineries, the Pennsylvania Railroad, which had a branch running along that river, forbade the laying of the pipes under its track. An appeal to the legislature to extend the right to appropriate property by legal process, already granted to pipe lines in the producing counties, was the next step. This was met by the combined force of the Pennsylvania Railroad and a lobby which was notoriously at the service of the heaviest purse.

To afford a fair excuse for the defeat of a measure which was required by the material interests of the State, it became necessary for the Standard to divide the Pittsburgh interests. A leading firm of that city, whose senior member had publicly avowed his support of the free-pipe bill, was admitted to the Standard corporation, and he reversed his position and declared against the bill. This extension of the Standard interests to Pittsburgh was followed up by the purchase and lease of other establishments, until enough Pittsburgh refiners were induced to oppose the bill for equality in pipe-line transportation to afford a pretext for killing the bill.

But by this time the Columbia Conduit Company had devised a method of partly overcoming the obstacle. While the railroad could prevent the pipe line from going under or over its tracks, it could not hinder the passage of wagons over its tracks upon the public road.

So the pipe line was brought up to the track, within a few feet of the public road crossing. On the other side of the track, only a few feet away, was the end of a pipe which connected with the Pittsburgh refineries. Oil tanks mounted on wheels were filled from the pipes on the north side of the railway, driven across the track by the public crossing, and discharged into the pipes on the south side, to be conveyed to the refineries a few miles away. For many months the wagons hauled their loads of oil over the West Pennsylvania tracks to avoid the obstacle presented by the legal rights of that corporation. Finally, probably because the pipe method was really safer and less liable to accidents which might be expensive to the railway, the latter consented to allow the pipes to be laid under the tracks and the complete pipe-line connection to be made with Pittsburgh. Perhaps also the railway managers believed that, under new combinations soon to be formed, the value of the pipe line as an independent route would be nearly destroyed.

The interests of the Standard Oil Company now required it to attach the Baltimore and Ohio Railroad to the combination instead of leaving it to maintain an independent route for the Pittsburgh refiners. The discriminations of the other trunk lines were main-

tained, so that no independent Pittsburgh refining firm could ship oil to the seaboard by the Pennsylvania Railroad at its regular rates and sell it there in competition with the Standard, which continued to move petroleum in large volumes over that road at whatever the secret rates may have been.

But, though the Baltimore and Ohio road, while used as a competing line by the independent refiners, had its economy materially impaired by expensive transfers between the refineries and the shipping point, yet it enabled these refiners to enter the seaboard market on nearly equal terms with the Standard and to keep up the fight for existence with a fair degree of success. The policy by which the Pittsburgh refineries were forced into decay is illustrated by the fact that previous to 1874, and at periods in 1875 and 1877, whenever they enjoyed any approximation to open competition among the railways for their freights, their business was active and expanding.

To prevent the independent refiners of Pittsburgh from maintaining their trade against the combined power of the Standard and the three other trunk lines, the alliance of the Baltimore and Ohio Railroad became necessary.

The termination of a railway freight war which had been waged for some time between the trunk lines, in a general treaty, afforded an opportunity to attach the Baltimore and Ohio Railroad to the combination. Heretofore this road had been, in the oil trade, a competitor, and a supporter of independent competition. Thereafter it assumed the character of a weathercock, at one time throwing its power on the side of the Standard and at another breaking away, because its share of the spoils was not large enough. In this case it was reported that a concession to it of a percentage in the live-stock traffic from Chicago and a differential rate on grain to Baltimore, less by 4 cents than to New York, formed the consideration for which it agreed to desert the Pittsburgh refiners and join the other trunk lines.

The ties of the other three companies to the Standard were by this time so strong that they were ready to make large concessions on other questions to secure the dominion of their darling monopoly. The compact was made, and the rate on petroleum from the pipe lines to the seaboard, over whatever distance the shipments were carried, was fixed at \$1.15. Apart from the persistent injustice, already referred to, of ignoring the element of distance in the charges, this rate was not excessive for the transportation of petroleum. Although deprived of their advantage in location, the independent refiners could have kept up their competition if the rate had been charged equally to all refiners. It was alleged at the time that this rate was charged on the Standard shipments; but nobody believed this, and nobody was expected to. For, within a few weeks of the promulgation of this rate, the Standard was selling oil in the Eastern markets at less than the first cost at the refineries, with the open freight rate added. The discrimination was known to be large in amount, but its exact character was not known. It has since then been explained by the discovery of the New York investigating committee* that on August 1, 1875, the New York Central and Erie railroads contracted to give the Standard a rate as low as the lowest net rate to other parties, and, besides, to pay the Standard and its affiliated companies a rebate of 10 per cent on all shipments of oil. The "affiliated companies" were those which the Standard had admitted to its combination as a reward for their aid in defeating legislation in behalf of free competition; and the correspondence of the Standard and the Pennsylvania Railroad in 1877 showed that the 10 per cent rebate on all shipments of oil included not only a special lowering of the Standard's rate, but a tax on all the oil which their rivals might ship.

By such means as this the independent refiners were again shut out of the market. Even in supplying the domestic trade it was found that the Standard could get small shipments to interior jobbers more cheaply than the independent refiners. The trade of the latter was nearly destroyed; some refineries were closed, and one or two became bankrupt.

But the refiners found a method of prolonging the contest one year more. They still had the Columbia Conduit to supply them with crude oil, and they adopted the plan of shipping their product down the Ohio River to Huntington, W. Va., whence it was taken by the Chesapeake and Ohio Railroad to Richmond for exportation. By this roundabout line many thousands of barrels were shipped during 1875 and 1876.

The exorbitant character of the trunk-line charges is evident from the fact that a rate of 80 cents a barrel for nearly 500 miles of additional transportation, with an extra transfer at considerable expense, was remunerative to the Chesapeake and Ohio Railroad. But even at that rate the Pittsburgh refineries were at a disadvantage. The circuitous route was more expensive at the best than the direct and rapid one closed to all but the Standard. The river half of it was dangerous and useless for six months in the year, from low water in the summer or ice in the winter; and when the long and slow journey had been performed, the product

* New York Investigation, Exhibits, pp. 175, 182.

reached not a great exporting city, but a port just coming into use, where no market for exportation was established and where the means of shipment abroad were indirect and uncertain.

It was evident that the struggle was a losing one for the independent refiners, while the Standard continued to extend its power and wealth. It had laid a pipe line of its own from the oil regions to Pittsburg, meeting with none of the obstacles from the railways that had been thrown in the way of the Columbia Conduit Company. It had extended its refining establishments by buying out or admitting to partnership a number of refining firms in New York, Philadelphia, Baltimore, and West Virginia; so that at every important refining point the Standard had a foothold and secured to its branches advantages which no outside refineries could have. Its sharpest fight, however, was with the body of ten or twelve firms in Pittsburg, who kept their independence for about four years, until the event, famous at that day as "the Potts fight," at first revived their hopes, but after a few months of bright prospects sealed their doom, and the struggle for commercial freedom ended in an ignominious surrender to the Standard.

In the early part of 1877 the Pennsylvania Railroad began to show some discontent under the restrictions which it had imposed upon itself in behalf of the Standard. But the Standard had grown from the position of a bantling, dependent for its prosperity upon railroad favors, to that of a tyrant which dictated terms to the trunk lines and administered punishment to disobedient railways, by throwing all its traffic on the lines which remained faithful to its interests. Having, as it deemed, the Pittsburg refining interest under its feet, it asserted its power over the railways and its monopoly of the refining interests in the Eastern cities by ordering the Pennsylvania Railroad to refuse the carrying business of the Potts combination.

This was an association of Eastern refineries, second in magnitude only to the Standard, and rumored to be second also in the discriminations which it obtained from the railways. Besides its refineries in the East, this combination, through the Empire Transportation Company, a subsidiary corporation of the Pennsylvania Railroad, controlled a pipe line and considerable producing territory in the oil district. With these facilities, and with a low rate on the transportation of crude petroleum from their pipe lines to their works, the Potts refineries enjoyed a prosperous and expanding business until the Standard determined that the time had come to strike a blow at this rival. The arrogant demand that the Pennsylvania Railroad should turn away the freight of the Potts refineries from its depots and close out its interest in the favored corporation which it was maintaining was met by a refusal from the Pennsylvania Railroad managers, who happened to be in fighting mood, and a freight war, the bitterest that had yet been known, was precipitated upon that corporation. The railway declared that it would make rates for all independent refineries equal to those given to the Standard. The Standard responded by turning all its shipments on other lines, leaving the Pennsylvania Railroad to depend on the crippled Pittsburg refiners who had nearly lost their trade, and on the Potts combination, for its oil traffic. If the fight had continued on that line the independent interests might have grown so as to compensate the railway for its loss of the Standard's business, for as soon as they had a chance to compete in the foreign markets they experienced a rapid revival. But other influences were speedily introduced into the contest. The Pennsylvania Railroad was taught to feel the power of the corporation for whose increase and wealth it was more responsible than any other one agency.

The New York Central and Erie roads showed their fidelity to the cause of the Standard* by supporting its demand and attacking the Pennsylvania Railroad in a bitter war of rates, which reduced its revenues at all points. The opposing capitalists controlled the money market so as seriously to hamper the finances of the insubordinate railroad, already crippled by other adverse influences. The great Pennsylvania Railroad found that its creature, the Frankenstein which owed existence and growth to it, was now its master and conqueror. The humiliating fact was acknowledged by a surrender, and the rebellious corporation passed again under the yoke of the Standard, in the closing months of 1877. The railway protected the interests of its protégés to the best of its ability. The Standard purchased the refineries of the latter in the East, and their oil-carrying cars, pipe lines, and producing territory, concluded an apportionment scheme by which it guaranteed to the Pennsylvania Railroad a fixed share of the petroleum freight traffic, and entered on its final and absolute monopoly of the oil-refining trade, for its victory over the Pennsylvania was not the only step by which it strengthened its dominion at this time. The Baltimore

and Ohio had again given the Pittsburg refiners, who received their supplies from the Columbia Conduit Company, a chance to ship their product over its road. This would have preserved the life of the independent refining interest, and could not be suffered by the monopoly. The trunk-line influence induced that road to notify the Columbia Conduit Company that no more oil transported by its line would be received on the Baltimore and Ohio. At the same time a proposition was made to that company for a purchase of its pipe line. As the choice was between sale and extinction, the proposition was accepted, the pipe line passed into the hands of the Standard and was torn up, leaving as the only pipe line running to Pittsburg the one connected with the Standard refineries.

This made the monopoly absolute master of the refining trade. It controlled every avenue of transportation, managed all the largest refineries in the land, and was able to shut off every competitor from either receiving supplies or shipping its product. If any refineries in any part of the land were permitted to run, they owed their immunity to their insignificance. The Pittsburg refiners, who had struggled for four years against the domination of the Standard, were left without any avenue of escape, and the rigor of their fate can be perceived from the fact that at the beginning of 1878 nearly every firm of the original refining interests of Pittsburg had either made the best terms practicable with the Standard or accepted the alternative of the bankrupt courts. From its original commonplace proportions, the Standard had at this time swelled to a corporation whose wealth was estimated to exceed \$30,000,000. The sources from which most of this wealth was drawn may be understood from the disclosures afterwards made of the discriminations in its favor. Up to that time these favors could only be inferred from the fact that the Standard could ship oil over the trunk lines when none of its competitors could do so at prevailing rates. The first legal avowal of its rates was in the case of *H. L. Taylor et al. vs. The Standard Oil Company*, in which it was alleged by the plaintiff that a rebate of \$1 per barrel had been paid by the railways to the Standard. The reply of the Standard admitted a payment of a rebate, but denied that it was of the amount named. Subsequently Mr. A. J. Cassatt, of the Pennsylvania Railroad, testified before the New York legislative investigating committee that in eighteen months the railways had paid to the Standard the sum of \$10,000,000 in rebates.

The period covered by the testimony was a year or two later than the time now under consideration. But the inference is plain that the rebates paid the Standard during the period of its growth from an ordinary corporation to a complete monopoly were equal to its entire increase of wealth for that time. In other words, its entire profits were comprised within the discriminations made in its favor by the railways.

The compact by which the railways surrendered themselves and the public interests to the rule of the Standard was well understood to be vital and binding; but of its exact and shameful details the public was kept in ignorance until two years later, when the correspondence, comprising the contract, was brought out by legislative investigation. In this contract the Standard assumed the power of parceling out the traffic not only between the different trunk lines, but between the different cities. Of the shipments to the seaboard, 63 per cent should go to New York, of which the New York Central, Pennsylvania Railroad, and Erie were each to carry one-third; of the remaining 37 per cent, the Pennsylvania Railroad was to be given 26 shares and the Baltimore and Ohio 11. For guaranteeing this division of the traffic the Standard received a "commission" (as it was called in this document) of not less than 10 per cent of the rate. This commission was stipulated to be subject to indefinite increase, but under no circumstances to reduction.

It was also reinforced by the important provision that no other shipper of oil should have any commission or rebate whatever unless his shipments were as large as those of the Standard.* As the railways had already raised the Standard to the position of controlling over 95 per cent of the trade and had crushed out nearly all its rivals, it will be seen that the probability of finding such a shipper to enjoy equal terms with the monopoly was very remote. Nor, with the Standard in control of the trade, was it likely to have any difficulty in carrying out its guaranty of the percentages which it had parceled out among the railways. The compact was a league and covenant between the railways and the Standard that no independent competition in the petroleum trade should be permitted by the railways.

It bound the corporations to the principle that competition was to be abolished and handed over the producers and consumers alike to the tender mercies of the monopoly which was established by the power of the railways. It might be supposed that such a complete surrender to its power would satisfy the ambition of the Standard. But it appears that there was one more point which it desired to gain. On February 15, 1878, the American Transfer Company, controlling the crude shipments of the Standard com-

*The Central and Erie railroads joined hands with the Standard and proceeded to enforce its demand by a war of rates, which terminated successfully in October of that year. The oil traffic, instead of being more profitable to the Central and Erie, has certainly been less remunerative since that war than before. We are unable to find the slightest respect wherein it resulted to the advantage of these roads. The Standard got the "plum," and as a result it owns exclusively the terminal facilities for handling oil in Philadelphia and Baltimore. It owns and controls the terminal facilities for handling oil of the four trunk roads.—*New York Investigating Committee's Report*, page 44.

*Correspondence of William Rockefeller and Thomas A. Scott, October 17, 1877.

bination, asked from the Pennsylvania Railroad the extraordinary commission of 20 cents a barrel on all crude oil transported by the railroad for shippers not members of the combination. Some of the producers had been shipping crude petroleum, enduring the 10 per cent discrimination, and to stop such an independent course the commission of 20 cents per barrel was asked of the Pennsylvania Railroad for every barrel of oil it transported, whether shipped by the Standard combination or by independent producers. It would seem almost incredible that any shipper could ask for a payment on his rival's business; but the letter making the demand is extant, and so is the still more astounding letter of the third vice-president of the Pennsylvania Railroad to the comptroller of that company, stating that he has seen the documents and that the New York Central and Erie roads were allowing such "rebates" of from 20 to 35 cents, and ordering the comptroller to make out vouchers for the rebate of 20 cents to the American Transfer Company on the entire crude-petroleum business of the Pennsylvania Railroad.*

A review of the position of the Standard Oil Company at this time showed that it had little more to desire in the extension of its empire over the oil-refining interests of the United States. It controlled in Cleveland, Pittsburg, Baltimore, Philadelphia, New York, and Boston works comprising 95 per cent of the refining capacity of the United States, all the pipe lines within the oil regions, and about one-sixth of the producing territory. It wielded an absolute and unchecked control over every department of the petroleum trade. It could dictate every step taken by the railways, impose terms on any outside dealer in crude or refined petroleum, and, if there was any disobedience, could administer effective discipline to the recusant, whether a railway corporation or a merchant.

The few outside refiners who managed to keep their works in intermittent operation were forced to receive their crude oil by rail, while the Standard refineries were supplied directly by pipe lines, with an economy of 67½ cents per barrel. By its position as the only purchaser of crude petroleum, and its control of pipe-line certificates, it could raise or depress the markets at its will; it could crush out any attempt to revive competition; it had bound to its service the four great trunk lines; and in the defense of its interests up to and after this time, its practically unlimited corruption fund secured to its allegiance the legislatures of the three greatest States of the Union. From this time the career of the Standard consisted in maintaining the absolute character of its rule, extorting the full profits to be secured by its monopoly, and punishing all who rebelled against it.

It was not long after the final establishment of the monopoly before feeble attempts were made to overthrow it. The Baltimore and Ohio Railroad had hardly allowed the pipes of the Columbia Conduit Company to be taken out of the ground before it discovered that the mess of pottage for which it had sold its birthright of free competition was small and worthless. It would have resumed competition, but its connection by the Columbia Conduit Company with the oil region was gone. An attempt was made to bring a new pipe line to Pittsburg, which produced another movement for a free-pipe law. The oil regions united with a few refiners in asking for that measure, but in vain. Even the attempts to hold a public meeting in favor of the new bill were smothered by the Standard.

To prevent the expression of independent public opinion, a meeting called for that purpose in Pittsburg was packed by the workmen of the Standard refineries, who howled down every speaker advocating commercial freedom in the oil trade. Paid articles in the press asserted that the measure would take the refining trade from Pittsburg and carry the whole business to other States. As this was just what the Standard was doing—the oil business at Pittsburg having at that time diminished 50 per cent—only those who wished to earn the Standard's wages were affected by such a plea. But that class, especially among the lawmakers of Pennsylvania, was numerous enough to secure the defeat of the free-pipe bill. That measure was again voted down, and the attempts to secure an independent line of transportation were abandoned.

The seaboard pipe line was another project which assumed more threatening proportions. This scheme aimed at carrying petroleum in pipes direct from the wells to the seacoast. It could not reach the seaboard with the pipe-line law of Pennsylvania as it then was; but in June, 1879, the opposition company succeeded in getting its pipes through to a railway which was not in the Standard combination.

By this means it established a partial competition with one branch of the Standard. The railways rallied their united powers this time to protect their monopoly and master "against injury by competition." A meeting of the railway and Standard officials on June 5 reduced the open rate on crude petroleum first to 80 and then to 80 cents, while the Standard at once obtained the special rate, for its own private use, of 20 cents per barrel. Upon this

very low cost of transportation it made a profit on about 2,000,000 barrels of oil, which it had previously contracted to deliver. The continuance of such a rate while the seaboard line kept up its fight allows but one of two conclusions. Either the rate of \$1.15 to \$1.90 per barrel, which the railways had charged to the general trade, was extortionate, or the rate of 20 cents, which they gave to the Standard, was throwing away their stockholders' money for the benefit of the monopoly. Which horn of the dilemma may be chosen makes no difference. The important fact is that during that year the railways kept up the fight to destroy competition, until the stockholders of the seaboard pipe line were forced into quietly selling their interests to the Standard, and the monopoly was again triumphant.

* * * When gigantic dishonesty meets with such gigantic success what wonder is it that more ordinary forms of the same evil prevail? In all its direct and indirect results, as the wrecker and destroyer of legitimately obtained prosperity, as a monopoly of an essential industry, and as a corrupter of public and business morals the Standard Oil Company is an unmitigated evil and a public curse.

The infliction of that curse upon the nation must be charged to the policy which unites the railways in efforts to suppress competition among themselves and to give favored shippers a monopoly of the traffic by discriminating rates. * * * Without their steady and persistent violation of the great rule of equal privileges to all shippers the project for the subjugation of the petroleum trade would have died stillborn. In assigning to them the responsibility for such an attack upon commercial liberties is it too severe to declare that the four leading railways of the country are guilty of the great commercial crime of the last decade?

APPENDIX B.

THE CRÉDIT MOBILIER INFAMY.

On April 15, 1887, Grover Cleveland appointed a commission, composed of Robert E. Pattison, of Pennsylvania, E. Ellery Anderson, of New York, and David T. Littler, of Illinois, to inquire into accounts and methods of the railroads which had received aid from the United States. I quote from Chairman Pattison's report as follows:

"Between the years 1865 and 1869 the Government loaned its credit to six railroad companies, forming parts of a great scheme of transcontinental communication. * * * It was originally provided that the Government lien should be a first mortgage on the several lines, but the law was subsequently amended so as to allow the companies to issue their own bonds to an equal amount as a first mortgage on their roads, the Government advance being secured by a second mortgage.

FOUR HUNDRED AND FORTY-SEVEN MILLIONS IN AID.

"The Government loaned bonds bearing 6 per cent interest, payable in thirty years, to the amount of \$64,623,512, and stipulated to pay the interest on these loans upon condition that at the maturity of the bonds the aided companies would pay both principal and interest, and that upon the completion of the roads the companies would pay annually a percentage of their net earnings and a portion of their compensation for Government transportation on account of these annual advances made by the Government. Congress also gave them over 26,000,000 acres of public lands, upon which they have realized \$39,479,213.71, with 12,615,087 acres of land, valued at \$26,054,270, yet unsold, making the total land grant worth \$65,533,483.71.

"As the Government annually pays \$3,877,410.72 in interest to the holders of subsidy bonds and does not require repayment by the companies until the maturity of the principal, the bond-aided companies gained a further advantage in the use of such interest money. This advantage itself was worth \$199,790,250.19 at the time of the grant. The Government gave them a right of way 400 feet wide along the length of their lines, the right of eminent domain, and space for depots and turn-outs. In addition to these liberal gifts by Congress, some of the States and many counties and public bodies also made large donations in lands and bonds to some of the companies.

"Aid was given from all sources as follows:

Company.	Principal and interest advances paid and to be paid by the United States.	Value of land grant.	Aid from other sources.
Union Pacific.....	\$92,814,290.94	\$44,911,637.77	\$250,000.00
Kansas Pacific.....	4,426,608.28	1,000,000.00	-----
Central Branch.....	4,500,255.89	239,364.60	265,628.00
St. Louis City and Pacific.....	77,104,604.41	19,823,581.24	2,856,191.24
Western Pacific.....	-----	-----	-----
Total.....	178,844,759.50	65,963,563.61	8,070,577.24

* Correspondence of Daniel O'Day and A. J. Cassatt, February 15 and May 15, 1878.

Company.	Aid exclusive of use by companies until maturity of annual interest payment by the Government.	Use until maturity in 1895-1899 of annual interest payments on basis of 6 per cent.	Total aid.
Union Pacific.....	\$138,005,023.71	\$103,000,859.36	\$241,006,788.07
Kansas Pacific.....	5,436,608.26	4,946,564.96	10,373,173.22
Central Branch.....	5,014,306.49	5,084,119.16	10,048,425.65
Sioux City and Pacific.....	99,492,376.89	86,118,700.71	185,611,083.60
Central Pacific.....			
Western Pacific.....			
Total.....	247,939,230.35	199,700,250.19	447,729,470.54

Bonds.

Company.	Mileage.	Principal of subsidy bonds.	Interest accrued and to accrue to date of maturity.	Principal and interest paid and to be paid by United States.
Union Pacific.....	1,038.68	\$27,236,512.00	\$50,304,778.94	\$22,844,290.94
Kansas Pacific.....	363.94	6,303,000.00		
Central Branch.....	100	1,600,000.00	2,826,808.26	4,423,008.26
Sioux City and Pacific.....	101.77	1,628,320.00	2,880,935.80	4,509,255.80
Central Pacific.....	737.50	25,885,130.00		
Western Pacific.....	123.16	1,970,560.00	40,248,924.41	77,104,604.41
Total.....	2,405.05	64,623,512.00	114,201,247.50	173,894,759.50

Company.	Payments on interest account to Nov. 1, 1887.	United States sinking fund, Nov. 1, 1887.	Value of debt on July 1, 1888.
Union Pacific.....	\$15,444,891.94	\$6,132,653.82	\$90,643,067.10
Kansas Pacific.....	316,124.12		3,285,495.65
Central Branch.....	131,923.62		3,404,236.85
Sioux City and Pacific.....	6,303,379.35	2,710,006.70	53,148,416.72
Central Pacific.....			
Western Pacific.....			
Total.....	22,002,319.03	8,842,720.52	125,482,106.32

"As lands granted to railway companies appear in a prior chapter, we will not make use of Mr. Pattison's table of grants, which must be included in the aid to these roads.

Aids from other sources.

	Bonds.	Lands (acres).	Estimated value.
Kansas Pacific.....	\$250,000.00		\$250,000.00
Sioux City and Pacific.....	130,000.00	58,000	265,000.00
Central Pacific.....	2,555,191.24		2,555,191.40
Western Pacific.....			

"By the foregoing tables it will be seen that the aid given to these companies amounted to \$447,729,470.54.

"By the bond table it will be seen that the total loan by the Government in principal and interest payments will be \$178,894,759.50, toward the repayment of which the companies, in eighteen years, have accumulated only \$30,955,096.61.

"By investing these corporations with the control of a public highway across the continent the Government reposed in them, as a reimbursement for their contemplated outlay in construction, the power to establish rates of transportation—that is, the power to levy toll upon all traffic which might pass over these avenues of trade. At the time when the grants were made grave apprehensions were entertained by Congress and the people respecting the dangers which might follow the creation of corporations of such magnitude, because, in addition to the power to tax traffic and the advantage of limited responsibility which was conferred upon these aggregations of capital, they were endowed practically with perpetual succession and capacity for the accumulation and concentration of wealth and power—privileges which are denied to natural beings whose plans are spanned by the grave.

"To guard against possible abuses of these great powers, and to insure good management and personal responsibility, Congress enacted that, in return for the nation's liberality, the companies should bind themselves also to build first-class roads, to carry for the Government at fair and reasonable rates (not exceeding the amounts paid by private parties for the same kind of service), and to operate all the lines in the Pacific system as one connected, continuous line, affording to each of the other roads equal facilities as to rates, time, and transportation, and to convey telegraph messages upon equal terms for all persons. They were also bound to make annual reports, giving the names of their directors and officers and stockholders and informations bearing upon the amount

of stock actually paid in and upon expenditures, receipts, and indebtedness.

CONSTRUCTION AND CAPITALIZATION.

"With these legal obligations and covenants resting upon them, what did these companies do? The Union Pacific Railroad Company actually received, in cash, on account of stock payments, the sum of only \$400,650, while it issued stock to the amount of \$36,762,000.

"The Union Pacific (1,038.68 miles) was built for \$38,824,000, and the company issued bonds and stocks as follows:

First-mortgage bonds.....	\$27,237,000
United States bonds.....	27,236,512
Land-grant bonds.....	9,224,000
Income bonds.....	9,355,000
Stock.....	36,762,000
Total.....	109,814,512
Cost of construction.....	38,824,000
Fictitious capital.....	70,990,512

"One thing is evident. After allowing for discount, the road was built for less than the proceeds of the first-mortgage and Government bonds, which had a face value of \$54,465,512, the builders taking as profit part of the proceeds of the sale of those bonds, as well as the income bonds, the land-grant bonds, and the stock, and charging up on the books of the company as cost of construction \$109,814,512.

"The Congressional committee of investigation, generally known as 'the Wilson committee,' which investigated the construction of the Union Pacific, in commenting upon the evidence which it took in 1873, said that every precaution that Congress had taken for the proper management of these great properties had failed of its purpose. Congress had demanded that money be paid in and that this money should be subordinated to the Government lien. It had provided for the presence of five directors representing the Government in the meetings of the directors of the company; for the appointment of commissioners to pass upon the work of road construction as it progressed; and it had held the reserved power to alter, amend, and repeal, and yet the road was subjected to the most scandalous mismanagement.

"The Wilson committee reported that large sums of money were borrowed by the corporation apparently to provide for the necessities of construction, but which were distributed in dividends among the corporators; that stock was not paid for in money; that some of the Government directors neglected their duties and others were interested in the fraudulent transactions of the company. One of the commissioners appointed to pass upon the condition of the road was paid \$25,000 in consideration of his signing officially a report accepting as first class a section of 120 miles of the road. The chief engineer, Peter A. Dey, resigned because the Hoxie contract was fixed at \$50,000, though his estimates were for \$30,000 per mile. His successor, Gen. G. M. Dodge, was interested in contracts for the construction of the road as a stockholder of the Crédit Mobilier. Oakes Ames, who was largely interested in the construction of the road, sold stock to members of Congress for prices much below the real value of the shares, his philosophy being that, although these particular Congressmen had favored the Union Pacific Road, they would take a livelier interest in its affairs if they were protecting their own property.

"The testimony taken by the Wilson committee showed that G. M. Dodge had been given for services in procuring the passage of the act of March 3, 1871, \$24,500; that C. S. Bushnell had retained \$82,500; that there was paid Governor John A. Dix, as a purchase by the railroad company of his stock, \$50,000; that there was paid to C. Windell, for signing the report accepting a section of the road, \$25,000, and that an allowance was made to T. C. Durant of \$435,750.21 for expenses in passing through Congress the amendatory act of July 3, 1864.

"The Kansas Pacific Company received \$250,000 in bonds from Leavenworth County, Kans., on account of stock subscriptions, issued shares for that amount to that county, and then issued additional shares to the amount of \$4,822,500, for which no cash whatever was paid, on account of the construction of the aided portion of the road.

"The Kansas Pacific aided portion (393.94 miles) was built for about \$11,800,000, under what was called 'an exhaustive contract,' which took all the bonds and stocks of the company, amounting to \$25,028,250, as follows:

First-mortgage bonds.....	\$6,303,000
United States bonds.....	6,303,000
Land grant.....	1,574,750
Second land grant.....	1,500,000
Income.....	4,275,000
Stock.....	5,072,500
Total.....	25,028,250
Cost of construction.....	11,800,000
Fictitious capital.....	13,228,250

"The Central Pacific actually received less than \$760,000 in cash

and bonds on account of stock subscription, while it issued stock to the amount of \$54,000,000.

"The Central Pacific and Western Pacific aided portions (860.66 miles) were built for \$40,000,000, for which bonds and stocks were issued by Messrs. Leland Stanford, Collis P. Huntington, Mark Hopkins, and Charles Crocker, or under their direction, as follows:

Bonds.....	\$70,211,680
Stock.....	54,000,000
Total issue of bonds and stocks.....	124,211,680
Cost of construction.....	40,000,000

Fictitious capital..... 84,211,680
 "The bonds, reduced to a gold basis, yielded \$52,708,742.55. So that the four men who managed that company profited to the extent of over \$12,000,000 in gold in addition to \$52,000,000 of the stock which they divided among themselves and subsequently sold at high figures after declaring dividends to the amount of \$18,453,670.

"The Sioux City and Pacific capitalized its road (101.77 miles) in bonds and stocks to the amount of \$5,047,720, as follows:

First mortgage bonds.....	\$1,628,000
United States bonds.....	1,628,320
Common stock.....	1,791,400
Total.....	5,047,720
Cost of construction.....	2,000,000

Profit in bonds..... 2,447,720

"It built its line for about \$2,600,000, of which \$1,791,400 came from stock subscriptions and about \$800,000 from the proceeds of the sale of half of its Government bonds.

"It distributed among its stockholders, without consideration, over \$3,400,000, of which \$1,628,000 was in first-mortgage bonds and the remainder in Government bonds. Every stockholder who paid in \$40 received in return about \$120 in securities and property.

"The Central Branch received \$386,700 on account of a stock issue of \$1,000,000.

"This road (100 miles) was built for \$2,731,347.23, for which bonds and stocks were issued as follows:

First-mortgage bonds.....	\$1,000,000.00
United States bonds.....	1,000,000.00
Stock.....	1,000,000.00
Total.....	4,200,000.00
Cost of construction.....	2,731,347.27

Fictitious capital..... 1,468,652.73

"The sales of its securities resulted as follows:

United States bonds.....	\$1,577,651.55
First-mortgage bonds.....	567,612.14
Stock options.....	392,225.53
Total.....	2,537,489.22

"Of the first-mortgage bonds, \$400,000 were used for purposes that no one has been able to explain. Four hundred thousand dollars more in those bonds was given away as bonus to stockholders for stock subscriptions.

"It will be apparent from these figures that the roads were bonded and stocked on an excessive basis, the profits, amounting to \$172,247,115, going to construction companies or inside combinations, as follows:

Cost and capitalization.

Company.	Mileage.	Cost.	Capitalization in stocks and bonds.	Amount of fictitious capital in securities upon completion of road.
Union Pacific.....	1,038.62	\$38,824,000	\$100,814,812	\$70,900,812
Kansas Pacific.....	393.94	11,800,000	25,058,250	13,228,250
Central Branch.....	100.00	2,731,347	4,200,000	1,468,653
Sioux City and Pacific.....	101.77	2,000,000	5,047,720	2,447,720
Central Pacific.....	737.50	30,000,000	124,211,680	84,211,680
Western Pacific.....	123.16	4,000,000		
Total.....	2,405.05	95,955,347	268,302,462	172,347,115

THEIR RELATIONS TO THE GOVERNMENT.

"During the five years from 1864 to 1869, upon the claim that their roads were fully completed, these companies obtained bonds from the Government; but when the Government called upon them to pay a percentage of their net earnings into the Treasury, as was stipulated in the original contract, they contended that their roads were not fully completed until 1874, and refused to make any payments to the Government, though one of them—the Central Pacific—had been declaring dividends in the meantime. They resisted the claims and demands of the Government at every point, and resorted to every device their ingenuity could invent in their efforts to evade the plain requirements of the law.

"In transporting troops and supplies for the Government they

violated the contract obligation to charge reasonable rates by charging more than they charged to private shippers for the same kind of service. The reports of the Union Pacific show that the average rates paid by the Government to that corporation were higher than those received by that company from other sources. The same is more or less true of the other bond-aided companies. The overcharges upon the Government by the Central and Union Pacific companies since 1880 are estimated to have been as follows:

Union Pacific.....	\$302,407.33
Central Pacific.....	167,558.63

PROFITS OF \$278,023,357.63 IN OPERATING THE ROADS.

"The reports of these companies show the following figures relating to operation, disclosing a profit or net earnings of \$278,023,357.63, equaling \$15,000,000 a year.

Earnings table.

Road.	Gross earnings.	Operating expenses.	Net earnings.
Union and Kansas Pacific.....	\$315,303,504.06	\$169,916,078.90	\$145,387,425.76
Central Pacific Railroad from 1863 to Dec. 31, 1880.....	274,139,116.27	149,199,102.40	124,940,013.87
Sioux City and Pacific Railroad from July 30, 1869, to June 30, 1887.....	9,187,369.50	6,423,590.82	2,763,768.68
Central Branch Union Pacific.....	12,849,463.47	7,917,308.15	4,932,155.32
Total.....	611,479,443.90	333,456,080.27	278,023,357.63

OVER \$25,000,000 FOR POOLS, REBATES, AND OVERCHARGES.

"In addition to the gross earnings given as above, the bond-aided companies received the following sums, which they subsequently paid out on account of pools, subsidies, rebates, overcharges, etc.:

Road.	Pools.	Rebates and overcharges.	Total.
Union Pacific.....	\$1,004,512.48	\$11,577,091.62	\$15,581,604.10
Kansas Pacific.....			
Sioux City and Pacific.....			401,832.01
Central Pacific.....			9,882,709.61
Total.....			25,866,235.72

LOSSES SUSTAINED BY THE GOVERNMENT.

"The Central Pacific and Union Pacific, between them, have paid over \$4,000,000 to the Pacific Mail Steamship Company to maintain high rates. To branch lines the Union Pacific, since 1881, has also given various amounts, estimated at \$2,400,000, and the Central Pacific \$520,762.97 on account of constructive mileage. All of the sums paid out for pools, rebates, overcharges, etc., amounting to \$25,866,235.72, were deducted by the companies from the gross earnings actually received by them before stating the amount which was reported to the Government as their gross earnings. In other words, they refused to consider and designate this sum of \$25,866,235.72 as part of their gross earnings because they subsequently paid it out for pools and rebates. In this respect, as well as in respect to charges for general expenses that should have been charged against auxiliary companies, the reports as made by the Union Pacific Company to the Government were erroneous.

"For the same reasons, and also because the Central Pacific Company was charged for and paid expenses incurred by and for the Southern Pacific Company (the case of Senator Norwood being a conspicuous illustration), the reports made by the Central Pacific Company to the Government were erroneous. The losses sustained by the United States on account of erroneous reports and overcharges amounts to over \$8,000,000.

"Of 1,200,000 acres in Colorado, surveyed prior to 1870, and granted to the Kansas Pacific Company, it has selected in seven-teen years less than one-twentieth of the grant therein.

"The Central Pacific has selected only one-half of its land grant in California that has been surveyed, and it has failed to select 180,000 acres in that State that have been surveyed since the completion of the road.

"Of the grant to the Central Pacific in Nevada, 700,000 acres were surveyed at the date of the completion of the road and about 2,000,000 are now surveyed. The company has selected about one-fourth of its land grant in that State.

"Of the grant to the Central Pacific in Utah, of which 250,000 acres were surveyed at the date of the completion of the road in 1869, no lands were selected until February, 1884, nearly fifteen years after the completion of the road.

"The Union Pacific and Kansas Pacific (aided portion) roads could have been built for an original outlay by stockholders of \$17,021,488, in addition to the Government loan, all debts could have been paid, including the Government debt, principal and interest to December 31, 1886, and from the profits of operating

the roads and from land sales, aggregating \$176,294,793.53, the stock could have paid regular dividends at the rate of 6 per cent per annum; and by an original outlay of \$17,031,488, which the law required, but which was not made, the company would to-day own a railroad worth at least \$79,000,000, and unsold lands worth \$14,004,240, equaling an appreciation of 447 per cent in eighteen years, while shippers would have been benefited and the development of tributary territory encouraged by a reduction of \$85,130,845.49 in charges for transportation.

"In the Central Pacific, for \$16,609,203.76 of stock subscription, which should have been paid in conformity with the act of Congress, all debts could have been wiped out, including the Government debt, principal and interest; the stock would have paid regular dividends at the rate of 6 per cent per annum; and for the outlay of \$16,609,203.76 the company would to-day own a railroad worth at least \$40,000,000 and unsold lands worth \$12,500,000, equaling an appreciation of over 200 per cent in eighteen years, while shippers would have been benefited by a reduction of over \$54,000,000 in the cost of transportation.

"Because of the vicious methods actually pursued by the bond-aided companies, the Government has been defrauded of the bulk of its advances, shippers have been taxed to the extent of over \$248,000,000, and liabilities to the amount of \$389,517,265 have been heaped upon the properties; the total liabilities of these companies to the public and Government on December 31, 1886, being as follows:

Union Pacific, including St. Joseph and Grand Island guarantee	\$203,370,555.00
Central Pacific	171,908,784.00
Sioux City and Pacific	7,392,447.17
Central Branch	6,836,479.16
Total	389,517,265.33

"These companies have paid out the following sums in interest and dividends:

	Interest.	Dividend.
Union Pacific	\$82,743,856.28	\$28,630,770.00
Kansas Pacific	1,682,836.10	150,000.00
Central Branch	1,709,618.67	139,280.00
Sioux City and Pacific	59,877,031.15	34,306,055.00
Central Pacific		
Total	140,212,332.20	63,306,105.00

"It is not, therefore, a matter of surprise that they are unable to pay the Government debt and that their resources have been diminished to such an extent as to give the Government very little return for its loans.

THE DEBT OF THE GOVERNMENT.

"The obligations of these companies to the Government are as follows:

	Principal of debt.	Interest accumulation to Dec. 31, 1886.	Total.
Union Pacific	\$33,530,512.00	\$39,241,229.04	\$72,770,741.00
Kansas Pacific	1,600,000.00	1,944,000.00	3,544,000.00
Central Branch	1,628,320.00	1,758,585.00	3,386,905.00
Sioux City and Pacific	27,855,680.00	21,869,475.20	49,825,155.00
Central Pacific			
Total	64,623,512.00	*74,813,289.24	139,436,801.00

* The above total of interest accumulation is evidently wrong, as it foots up seventy-four million instead of sixty-four million, but we give the commission report figures.

"The Government is also liable for ten years' additional interest on its bonds, or a total of \$39,447,953.26.

"The present value of the debts of the companies to the Government, as computed by the actuary of the Treasury Department, upon his own methods of computation and without reference to instructions received from any source, are as follows:

Union Pacific	\$60,643,967.10
Kansas Pacific	3,285,465.65
Central Branch	3,404,226.85
Sioux City and Pacific	55,148,416.72
Central Pacific	
Total	122,482,106.32

"In considering a method for the adjustment of these debts, the commission was told that the Union Pacific Company would pay \$35,000,000 for the extinguishment of the whole amount of its indebtedness.

"The officials of the Central Pacific said that the aided portion of that line was not worth more than the first mortgage of \$37,855,680, which is prior to the Government lien, thus leaving the Government without any return for its advances.

"John I. Blair, who built the Sioux City and Pacific road, offered \$1,000,000 for that line.

"The Central Branch was probably included in the offer of \$35,000,000 made by the president of the Union Pacific.

"So that it will be seen that the commission was offered only \$36,000,000 in settlement of a claim the present worth of which is \$122,482,106.32.

WHAT POLICY SHOULD THE GOVERNMENT PURSUE?

"What should the Government do? A mere money recovery is the least of benefits it should consider in deciding upon its course of action. To redeem these roads from the perverted uses to which they had been applied in order that the beneficent public purpose Congress had in view in their creation may be realized is a consideration of infinitely greater importance to the people than a repayment of a given number of dollars and cents into the Treasury. The Government can well afford to lose a portion of this indebtedness if this object can be accomplished. Every consideration of public policy, the enforcement of law, the supremacy and dignity of the Government, demand a treatment of this subject far above and beyond any mere attempt to collect a public debt.

"The Government occupies a dual relation to the bond-aided railroads—as sovereign and as creditor. In this aspect the question of settlement unfolds complications that would not present themselves in the ordinary relation of creditor and debtor. A mere creditor might assent to compromise which, in a sovereign, dealing with a dishonest creditor who had violated all laws and covenants, would be repugnant to public policy. It can not afford to condone fraud, to validate the iniquitous work of the Crédit Mobilier, the Contract and Finance Company, and similar organizations, or to ignore the unlawful and outrageous discriminations and extortionate charges and the criminal conspiracies for controlling trade which have characterized the administration of these railroads since the date of their completion.

"When the Crédit Mobilier scandal was exposed by the investigations of the Wilson committee, in 1873, the Government was offered the alternative of attempting, by a suit in equity, to recover from the Union Pacific Company the money that had been improperly appropriated, or of proceeding to forfeit the charter of that corporation. A suit in equity was begun in the circuit court of Connecticut, but the Supreme Court, upon the demurrer of the defendants, held that the Government, as a creditor, could not sue until the debt had matured in 1895, and so dismissed the case. Since that time the Government has been barred from all efforts at recovery and is to-day experiencing the embarrassments of that decision.

"The question recurs, What shall the Government do? Shall it allow matters to drift along without action, and continue the unseemly and interminable contests that are as belittling to the sovereign as they are vexatious to the companies, or shall a remedy be applied immediately? Undoubtedly it would be preferable to settle the matter at once. If this much be conceded, what course shall be adopted? Shall the time for the payment of the debts be extended, or shall the Government insist upon an immediate adjustment and settlement with the companies? So far as its action would affect the Union Pacific and Central Pacific, Congress has the power to pursue either policy without encountering legal obstacles. Which course shall it follow?

"* * * The companies also failed to transport for the Government at fair and reasonable rates not to exceed the amounts paid by private parties for like service. On page 109 of the Annual Report of the Union Pacific Railway Company for the year 1886 there appears a statement entitled 'Average rates per passenger per mile, by sources, for the years 1886, 1885, 1884, 1883, 1882, and 1881.' The rates there charged to the Government show a great excess over the charges either for way or through traffic, either taken on the average of the whole system or divided according to conductors, local, home coupons, foreign roads, and Government.

"By section 13 of the act of July 2, 1864, the Union Pacific was required to place a Government director on each standing and special committee that might be appointed. But in 1880 it admitted the Government directors under protest, and neglected to send notice to them of the meeting held on March 9, 1880. When transportation was asked for the Government directors, in the latter part of August, 1880, the jurisdiction of the Government directors was denied, and official transportation was refused over any part of the consolidated road excepting the line from Omaha to Ogden.

"In 1883, after waiting three months for some notice of directors' meetings, I. H. Bromley, then a Government director (now assistant to President Adams), called on Sidney Dillon to ascertain what functions attached to the office of Government director, and, if any, what was their nature.

"It was evidently his opinion that the Government directors had neither duties, responsibility, nor power, and that aside from making a pleasure trip over the road, nominally for the purpose of inspection, there was nothing for them to do.

"Facilities for making such a trip, he said, would be afforded at any time the directors might desire them. As to the directors'

meetings, he did not know when the next one would be held, but presumed that the Government directors would receive notice from the secretary whenever one should be called. The officer of the company, however, informed him, somewhat to his surprise, that practically there were no functions; that the office was a 'myth'; that the road and equipment belonged to the stockholders; that provisions for the payment of the company's debt to the Government had been made by the 'Thurman bill,' and that, as a matter of fact, the Government had no further concern with the direction of the road or its management. * * *

"By section 1 of the Thurman Act the Union Pacific and Central Pacific companies were required each to ascertain its net earnings by deducting from the gross amount of its earnings the necessary expenses actually paid within the year in operating and keeping the road in a state of repair, and also by deducting interest upon the first-mortgage bonds.

"Instead of complying with this obligation, the Union Pacific Company has deducted over \$10,000,000 and the Central Pacific over \$5,000,000 since 1878 on account of pools, subsidies, rebates, and refunds, and both companies have wrongfully misstated their gross earnings in their reports to the Government. * * *

"The rebate book was used as the hiding place for the iniquities in the system. Payments that were not made to buy trade or to buy peace were put in there. It was one of the 'india-rubber' accounts of the company. Opportunities for the rankest favoritism and corruption were invitingly spread before the officers of the operating department, and by the secrecy of these accounts the company gave to favored shippers great advantages which it refused to give to others. Ex-Senator Hill, of Denver, said his smelting works would have gone into the same business as the Omaha and Grant Smelting and Refining Company if he could have any assurance that he could get the same rates.

"The officers of the Union Pacific Railway Company went further even than to refuse equal rates. They boldly denied that rebates were being granted to favorite shippers. Appeals were made to President Adams. He declined to interfere and turned the complainants over to Mr. Kimball, the general traffic manager.

"In addition to the specific obligations heretofore enumerated, the Union Pacific Railway Company has transgressed in another respect. It had no right to do anything except what was expressly allowed by the act of July 1, 1862, and the acts supplementary thereto. In building branch roads it has exceeded the limits of power expressly granted to it by the act of incorporation. In mining coal for sale to the public, in quarrying stone for the same purpose, in running eighteen hotels, in establishing soda works, in building elevators for lease to private individuals, in acquiring control of water power at the Blue Springs, Nebraska, in purchasing interests in newspapers, in buying and selling salt, in engaging in the sale of town lots, and investing in the Pacific Express Company, the Occidental and Oriental Steamship Company, coal companies' stocks, and street-railway stocks, it has exceeded the limitations upon its powers as prescribed by Congress. * * *

BRANCH LINES.

"Considerable attention has been devoted by the commission to the policy which was adopted and the methods pursued by the company in building branch lines. At the close of the year 1886 it appears that these branch lines, measuring 2,763 miles, had funded and unfunded debts amounting to \$48,837,254.50 on which the interest charge would be \$3,086,888.68 per annum. * * *

"Mr. Adams says he planned to occupy the whole country west of the Missouri River, constructing his lines as fast as, or a little faster than, the population grew to sustain them. His idea was to guard against competition and to retain for the Union Pacific the territory which he regarded as naturally tributary to it. * * *

"A scrutiny of the published reports of these auxiliary companies discloses a system of bookkeeping inconsistent with accurate and honest accounting. * * *

"These fictitious and unlawful capitalizations and watering of the securities have caused all the troubles of the Union Pacific Railway Company. * * *

"The Union Pacific Railway Company also controls the retail price of coal along its entire system, and because of the fact that coal yards are established on its right of way, coal dealers, before embarking in the business, must obtain the consent of the company. In order that it might retain a complete monopoly of the coal traffic, it refused to lease any of its coal lands on royalty; and it acquired unlawfully, by private entry and by the use of the names of its employees, the ownership of the Government coal lands adjoining its own property. * * *

"A thorough examination of the rebate system of the Union Pacific Railway Company leads to the conclusion that it was the policy of the company to concentrate business in a few hands, thereby building up a few men at the expense of others. * * *

"An instance was related of a shipment of wool to Boston from Salt Lake City by way of San Francisco, because it was cheaper to ship westward a distance of 860 miles, and then to return it

eastward to Boston, than to ship direct from Salt Lake City to Boston.

"The Union Pacific Railway Company has taken advantage of the interstate-commerce law to oppress trade, having used the application of that law as a pretext for a general increase of rates varying from 20 to 33 per cent. The decision of the Interstate Commerce Commission relative to the suspension of the fourth section has been availed of by the companies as a justification for outrageous discriminations. In place of pools, which were prohibited by that act, the companies have substituted 'agreed rates.' The prohibition of pools contained in that act has simply forced a change in the nature of the combinations from agreements for division of earnings or territory or traffic to agreements for the maintenance of rates which are unreasonable. It is not strange that the company, when mining and selling coal, and quarrying and selling stone, with the power to drive all competitors out of the market, should exercise that power for its own temporary advantage and to the injury of those whom the Government is bound to protect.

"But more offensive than the inequalities and favoritism in which the company participated, or the combinations into which it entered, was the terrorism which it maintained over merchants and over communities. As was stated by one witness (see page 1346):

"People would testify, but they were afraid to offend the railroad."

"At Columbus, Nebr., Mr. Leander Gerard (see page 1481) testified:

"Merchants understood that if they did not do as the railroad company wanted, it would discriminate against them. Men who were friendly to it would have privileges extended to them, and the politicians and fellows that were active had advantages."

"At Lincoln, Nebr. (see page 1520), it was testified by one of the leading merchants of that city:

"One of the complaints has been the favor shown by the company in the distribution of passes and favors. In the courts, both State and Federal, passes are given to jurors. Cases are carried to Federal courts, and where they are tried by a jury the jury are favored by the company with passes."

"Ex-United States Senator Hill, of Denver, testified that he had said, in answer to hundreds of the inquiries which were made to him as to whether he would advise persons to go into business in that city:

"Denver is a good place in which to establish business if you can get on the inside track with the railroads." * * *

"The Union Pacific Railway Company has interfered with the political affairs of Kansas, Nebraska, and Colorado; it has entered into election contests, and in Nebraska it became such a powerful force in politics that a combination of nearly all the other political elements in the State was required to combat it. Its interference was continual, beginning in the year 1872, and involved a general contest in the State in the years 1875 and 1876. At that time the Union Pacific Company made a combination of railroad and Federal officials for mutual advantage, and it enlisted the services of postmasters and revenue officers in carrying bond elections that were in its interest in various counties, and in defeating other companies who were to be benefited by such bond elections. In the year 1876 there was a pitched battle, lasting four days, in the Republican State convention. (See page 1335.) The company has made it a rule (see page 1049) to tender a pass to every member of the legislature to influence legislation in its interest. But it has not stopped at the distribution of its favors to legislators.

"It has gone so far as to influence the election or defeat of members of the legislature. By 'expressing a wish,' it has induced its employees to support or defeat candidates, and in some localities (see page 1498) it was testified that a constable could not be elected without the permission of the Union Pacific officers.

"The company has been impartial in its political affiliations, and has used all parties alike for its purposes.

"Hundreds of thousands of dollars have been disbursed at the State and national capitals for the purpose of influencing legislation, and as many as fifteen men were maintained on pay in attendance upon the legislature of Nebraska during its sessions at Lincoln.

"In view of these facts, it is not surprising that the sentiment of the people of Kansas, Nebraska, and Colorado has been largely in favor of railroad regulation by the States. * * *

"The Union Pacific attempted to charge for mail matter at express rates, and to obtain full fare for the transportation of mail agents. * * *

"At present prices of railroad construction, it is evident that from the properties themselves the Government can not recover within one hundred and eight millions of the present value of the indebtedness owing to it by the bond-aided companies, and any extension of the time for payment would be useless and would expose to further risk and depreciation the present inadequate security for the debt."

ROBERT E. PATTISON,
Commissioner.

International Banking Bill.

SPEECH

OF

HON. J. M. ROBINSON,

OF INDIANA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 16, 1898,

On the bill (H. R. 10807) to carry into effect the recommendations of the International American Conference by the incorporation of the international American bank.

Mr. ROBINSON of Indiana said:

Mr. SPEAKER: I am moved to offer to the House some observations on this pending measure, not only by reason of its importance, but by the covert attempt, concealed within the bill, to establish a national banking system on the country that will out Herod in its powers all others that have existed in the banking line from the beginning of this Government till this present time. This plan for domestic banks is disguised beneath the patriotic trade title of "International American Bank," ostensibly to operate in the Western Continent, but in reality to do its business—under slight but material amendments that could be presented and passed in the succeeding Congress—in this country alone.

If the people of this country knew the terms and tendencies of this bill and had the power in their hands that they have delegated to members of this House, they would overwhelmingly defeat it; and, with this sentiment prevailing in our constituencies, I have faith that their feelings on this all-important subject will be respected and voiced by their representatives and that this bill, far-reaching in its evils, without any evidence of party feeling or partisanship, will be defeated on the final vote.

But few citizens in the history of our Government have had the temerity to ask such special favors. This bill provides that any number of incorporators, with a capital stock of \$5,000,000 for each corporation, may form an international American bank; and others, with a like capitalization, may form another; and others, in like manner, another; and so on, without limitation as to numbers. And to further clothe this scheme for concentration of wealth with self-executing habiliments, by the terms of the bill it is proposed that each of these banking corporations shall have the power to establish, within the United States, eight branch banks, with plenary powers of operation with the parent bank, which branch banks in this country are established with the approval of the Comptroller of the Currency; this in practical operation will be no limitation on the maximum number provided by the bill. In line with the manifest desire of the promoters of this gigantic system of financial government to exploit the people and at once to remove its perplexities from the arena of political discussion, it is provided on page 9—I read from the bill:

The International American Bank shall have a corporate existence for the term of fifty years.

The range of this fifty-year octopus in this country is partly told in paragraph 8 of section 7, giving its powers, which reads as follows:

Eighth. To carry on the business of banking by discounting and negotiating promissory notes, bills of exchange, drafts, and other evidences of debt; to receive deposits; to buy and sell exchange, coin, and bullion; to issue letters of credit to the order of the person therein named, and to loan money on personal security, subject to the limits hereinafter imposed; and to borrow money for use in its business in an amount not exceeding 50 per cent of its paid-up capital stock.

And other provisions in aid of these full rights and privileges thus granted are confirmed in this money syndicate to do a domestic banking business. Other provisions of the bill, in my judgment more shadowy than substantial, are inserted to give it power to do a general foreign banking business. It is the fancy of these promoters, as outlined by their champions, that this institution, with its great tentacles, will reach out and girdle the globe, and it is their dream and fondest hope that all the republics of the Western Continent will be within its icy grasp. In a remote portion of the bill, in section 23, the Government of the United States, in creating this corporation, is made to say that the Government will not be responsible for its debts.

It is claimed by many in this body, and with much show of reason and authority, that this banking corporation, not having for its object any governmental function, the law creating it would not be constitutional. To cover the point of being a Government institution the bill provides that the United States may select it as a fiscal agent abroad, and it is said in discussion that our Government could delegate it to sell our bonds abroad. We have recently by experience learned that our bonds could well and profitably be disposed of at home, and our clothing this institution with such a visionary and useless power simply to give it the form of constitutionality would require a greater stretch of

imagination than would be justified, either under the policy of a government like ours or under the law which thus far has governed our policy. Aside from the question of constitutionality as a question of policy, it would seem to be an act of doubtful propriety for this Government to give its solemn legal sanction to an enterprise for purely private gain, and a part of the operations of which institution are intended for foreign countries. I believe this to be a too large interpretation of the general-welfare clause of the Constitution.

If this international banking body only want to be clothed with the attributes of a soulless, spiritless corporation, it can well organize itself into that form of existence in any one of a number of the States of the Union by invoking its law of corporations, and thus do no violence to that part of the Federal Constitution which declares "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

Why should this Government, charged with its onerous public functions, reach out its arm to aid, and why should the people's chosen representatives go out of the plain high road of their duty as public servants to lend encouragement and legal sanction to an enterprise established not from patriotic, but for mercenary motives? If this class legislation is enacted, who can divine where the end will be? If this class legislation is continued, who can estimate the disasters that will be visited on the heads of those to come?

If the work of this corporation for purely private gain is to be in foreign countries, who can know what injury may be wrought in those countries on their inhabitants, who, trusting the United States, are led to transact business with it because it has the sanction of American law? If it be claimed that this contemplated bank corporation must first have the warrant of the law of the foreign country before it can transact business there—and this can not be denied—then let the promoters of this scheme go to those foreign countries where they expect to transact their business, in the first instance, and there only get their power of incorporation, and not ask us to strain our organic law to give a national character either in form or in fact to an enterprise of private individuals, the resultant effect of which has been exemplified too seriously already for us in the Freedman's Savings Bank and Pacific railroads.

Regarding this as an initial step in a policy which would be fraught with great danger to the future of the country, I am pleased to find a pronounced and emphatic opposition to this mercenary measure, not only on this side of the House, among those always faithful to a strict interpretation of the Constitution, but on the other side as well, among those who have always favored a more liberal but, in my judgment, a more dangerous interpretation of that instrument.

This bill provides a complete system for domestic banking; and I regard the international feature as purely a guise. It will, if enacted into law, give a power to drive to the wall and out of existence our small domestic banks that give us to-day the facilities for trade and commerce in the smaller communities. This bill, in its form, is calculated to, and in its ultimate effect will, be as destructive to the interests that I have mentioned as the dangerous and drastic McCleary bill that the advocates of corporation and bank monopoly will, ere long, seek to press upon us. I commend to the members of this House and to the bankers of the middle and Western country this and the McCleary bill for study, believing that the dangerous tendencies of each can be clearly seen.

The ingrafting on our financial system of such principles as are embodied in these bills, in the end, when we consider the facility with which amendments can be made, will mean the complete ascendancy of such institutions as this bill seeks to establish, and the destruction of other institutions in the banking business.

Section 23 of the bill before us, in itself, is a marvel, whether considered as an allurement to the members of this House to pass the measure, as a confession of the inherent qualities of corporations so constituted, as a guaranty of good character and good conduct in the future, or as a declaration of a principle of government as ancient as good government itself. It pledges that the banking corporations created by this bill will pay their taxes.

Whether a body of men, whom this bill designates by name, or those who avail themselves of the provisions of the bill and follow after them, who in this manner ask their Government to clothe them with what the gentleman from Tennessee [Mr. Cox] denominates an "infernal monopoly" will keep their faith with the people if avenues of escape are presented, remains to be seen.

If their banking assets are to be employed in foreign countries—and it is said that it is intended to employ them there—in the light of the drastic efforts of many State tax laws to ferret out this class of property without success within their borders, it would be enlightening to know just how those same States could reach such assets in a foreign country. The provision in reference to this corporation paying taxes must be considered perfunctory.

If this and like corporations, each having five millions of capital

stock, are created by this bill, it will add so many to join that army that has for years in this Government shifted the burdens of national taxation from the shoulders of those able to bear it, and for the protection of whose large estates the Government is largely charged, to the shoulders of those who labor for a bare existence and are less able to pay the national taxes.

If disquietude and unrest exist to-day in the ranks of labor it is due to the distressing condition everywhere apparent in the system of national taxation that burdens the poor of the land with heavy taxes to support their Government, while the great and growing fortunes are fostered and protected, without exacting from them a tribute for the protection thus afforded.

Two days ago American labor, through its representative, the American Federation of Labor, in annual convention at Kansas City, Mo., voiced its sentiment on this subject as follows:

Resolved, That the American Federation of Labor is of the opinion that the decisions of the Supreme Court on the income tax are not in accord with the Constitution or the spirit of the American people, and that the Federation demand of Congress a law making a tax on incomes a feature of Federal taxation.

On the same day, at Washington, D. C., the of National Board Trade, by a vote of its members, defeated the following resolution:

Resolved, That combinations of persons and capital tending to increase or decrease prices of articles required for general public use and which shall stifle full and free competition are to be deprecated.

Resolved, That, so far as it may be consistent with full liberty of trade, Congress is hereby requested to use its power to prevent such combinations.

With our past experience on the subject of national taxation, we are now confronted by this bill, proposing to create a fifty-year corporation that promises to pay its taxes in return for these valuable concessions; and are we not in all candor justified in treating these promoters in the light of the proverbial Greeks who came bearing figs in their hands?

These corporations, when created by law, will be others to join that array of wealthy who sought to defeat the income-tax law and after its passage, by every means within the power of wealth, sought to compass its defeat, and will be one of that same power of corporate wealth that, from the history of this Government down to the enactment of the war-tax bill at the last session of Congress, has persistently and successfully fought every effort by the people to compel them to pay their just share of the burdens of taxation.

Nor am I placing the corporations created by this bill, claimed by their friends and advocates on this floor to be patriotic, in a class to which they do not belong. The history of the tariff bill, the history of the war-tax bill, was the history of a continuous struggle by the corporate powers to avoid taxation and a struggle to place the burdens of tax on those not rich, and all the means known to the ingenuity of man were employed to secure those ends in the war-tax bill, and this at a time when the nation was elevated to the summit of enthusiasm and patriotism by an impending war.

In that Spanish war, which the war-tax bill was enacted to raise revenue to support, thousands of laboring men all over the land enlisted in the line to do battle for their country, and at this time, when flinty hearts melted we found soulless corporations, like these which you seek to establish, refusing, absolutely refusing, to bear a fair share of war taxes. It ever has been so and ever will be so, so long as corporations like these which you seek to create and foster by this bill are given in effect special and exclusive privileges, either under State or national authority.

That this subject is not idle, but is one of the greatest moment, I have but to read you the statements of four of the most eminent judges, who, in their opinions, rendered in 1896, on the Democratic income-tax law, declared:

Harland, J., of Kentucky.

"The practice of a century, in harmony with the decisions of this court, under which uncounted millions have been collected by taxation, ought to be sufficient to close the door against further inquiry."

"In my judgment, this decision may well excite the gravest apprehensions. It strikes at the very foundation of national authority."

"The decision now made may provoke a contest in this country from which the American people would have been spared if the court had not overturned its former adjudications."

"The practical effect of the decision to-day is to give a certain kind of property a position of favoritism and advantage inconsistent with the fundamental principle of our social organization and to invest them with power and influence that may be perilous to that portion of the American people upon whom rests the larger part of the burdens of the Government and who ought not to be subjected to the dominion of aggregated wealth any more than the property of the country should be at the mercy of the lawless."

Brown, J., Michigan:

"My fear is that in some moment of national peril this decision will rise up to frustrate its will and paralyze its arms. I hope it may not prove the first step toward the submergence of the liberties of the people in a sordid despotism of wealth."

"As I can not escape the conviction that the decision of the court in this great case is fraught with unmeasurable danger to the future of the country and that it approaches the proportions of a national calamity, I feel it a duty to enter my protest against it."

Jackson, J.:

"The practical operation of the decision is not only to disregard the great principles of equality in taxation, but the further principle that in the imposition of taxes for the benefit of the Government the burdens thereof should be imposed upon those having most ability to bear them. Considered in all its

bearings, this decision is, in my judgment, the most disastrous blow ever struck at the constitutional power of Congress."

White, J., Louisiana:

"It takes invested wealth and reads it into the Constitution as a favored and protected class of property, which can not be taxed without appointment, whilst it leaves the occupation of the minister, the doctor, the professor, the lawyer, the inventor, the author, the merchant, the mechanic, and all other forms of industry upon which the prosperity of a people must depend, subject to taxation without that condition. A rule which works out this result, which, it seems to me, stultifies the Constitution by making it an instrument of the most grievous wrong, should not be adopted, especially when, in order to do so, the decisions of this court, the opinions of the law writers and publicists, tradition, practice, and the settled policy of the Government must be overthrown."

Corporate influence, and this bill seeks to enlarge that influence, opposed an income-tax law to aid in raising revenue to carry on the late war with Spain and defeated it—opposed every taxation of corporations or corporation property, and, finally, when some slight tax was placed upon a few of them, at once, in violation of the spirit of the law, they shifted the burden from themselves to their customers, less able to bear the tax. With this record and these facts no reasons exist for the passage of this bill. Our most familiar notions of prudence and policy dictate its defeat.

Regulation of Commerce.

SPEECH

OF

HON. JAMES S. SHERMAN,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, December 7, 1898.

The House having under consideration the bill (H. R. 7130) to amend an act entitled "An act to regulate commerce"—

Mr. SHERMAN said:

Mr. SPEAKER: This bill is very similar to the bill which was passed by the House of Representatives of the last Congress. The changes that have been made in the bill from the one then passed are in the main restrictive upon the corporations which are affected by its provisions.

The bill provides, first, that it shall be the duty of every common carrier to supply each of its authorized agents with a certificate showing authority to deal in tickets entitling the holder to transportation over the lines of the company, and that it shall be the duty of all agents who have this authorization to post it in a conspicuous place in their places of business.

In the second clause the bill provides that it shall be unlawful for any general passenger agent, or any other officer of a common carrier whose duty it is to supply tickets to the agents of such corporation, to supply tickets to any other person or persons than the authorized agent or agents of such corporation. And it further provides that it shall be unlawful for any person to sell a ticket purchased for the carriage of that person, except that the purchaser of a transferable ticket may sell it to some individual who in good faith intends to pursue the journey for which the ticket was originally sold, with the further proviso that an authorized agent of any common carrier desiring to sell a ticket to a traveler to some point reaching beyond the limits of the line of which this individual is the agent may purchase of the authorized agent of the other carrier a ticket which will carry that person to his desired destination. For instance, that the agent of the Pennsylvania Railroad here, desiring to sell a ticket to a passenger to Omaha, may procure of the agent of the Rock Island or of the Burlington Railroad a ticket which will take the passenger from Chicago to Omaha.

The third section of the bill provides the penalty for the violation of its terms either by a ticket broker or by an officer of the common carrier.

The fourth section of the bill provides that every common carrier which has sold a ticket to a proposed passenger shall redeem, on presentation by that passenger, any portion of that ticket which shall not have been used, and defines the mode by which this redemption shall be accomplished.

The fifth section provides the penalty for the failure to comply with its terms on the part of the general agents of the various transportation companies; and the sixth section provides what shall be a forgery in the change or counterfeiting of a transportation ticket, and provides a punishment for a violation of its provisions.

This in the main, Mr. Speaker, covers the entire provisions of the bill. The bill had its inception in the repeated recommendations of the Interstate Commerce Commission, which ever since its organization has repeatedly recommended legislation of this character. These recommendations have been contained in report after report submitted to Congress, and notably in the report of

1896 and in the report of last year, in which the recommendations of the report of 1896 are repeated and emphasized.

In one of Judge Cooley's reports on the subject of the ticket scalper and ticket scalping he uses this remarkable language:

The ticket broker has no necessary, useful, or legitimate function. He is a self-constituted middleman between the railroad and the passenger. All railroads have accessible and convenient offices and agents for the sale of tickets. The public can be fully accommodated by the regular agencies of the roads without the intervention of superfluous and obtrusive middlemen. * * * The business is therefore hurtful to both the roads and the public in a financial sense, and the extent of the injury it is hardly possible to measure. The harm done by an army of unscrupulous depredators upon a legitimate business can not be computed by any known standard. Lawless greed recognizes no limits, and weak compliance by its victims only stops at exhaustion.

But the moral injury, both to railroad officials and to the public, is even greater. To railroad officials the business serves as an invitation and an excuse for dishonest practices. * * * The public morals are affected by the natural inference that railroad officials are deficient in sense of honor and integrity, and that if the railroad code of ethics permits one road to cheat another it is equally permissible for the public to cheat the railroads. The inevitable tendency of the practice, therefore, is to eliminate the moral element and the rule of action that element inculcates—business honor—from the practical field of transportation. * * * In whatever aspect ticket scalping may be viewed, it is fraudulent alike in its conception and in its operations.

Fraud, therefore, is the incentive to the business, and in its conduct every step is one of actual fraud. The scalper's vocation, the necessity for his occupation, is to sell transportation at less than published and established rates; in other words, below lawful charges. Every such sale is a fraud upon the law, a fraud upon competing roads, and a fraud upon the stockholders and the creditors of the road for which the sale is made.

One might suppose that a practice of this character could no more be defended than larceny or forgery, but, strange as it may appear, it is defended before legislative bodies and elsewhere, and the right to carry it on unimpeded is demanded. It is urged by way of defense, that through the scalper a portion of the public gets lower rates, and therefore his operations are in the interests of the public. The circumstance that the lower rates so obtained are forbidden by the fundamental principle of the law that equality of charges for equality of service shall be made, and that such rates are unjust discrimination, is wholly disregarded by this defense.

It is also said that railroad tickets are merchandise and may be bought at wholesale at any price for which they can be procured, and may be sold at retail for any price the purchaser will pay. This, again, ignores the plain requirements of the law that a railroad as a public agency must establish and publish its fares and charges and sell its transportation only at established rates, and that it is a criminal offense to do otherwise. The merchandise theory is an entire perversion of the nature and objects of railroad tickets. A railroad ticket, instead of being merchandise, is in law only a receipt or voucher for the payment of the cost of a journey and evidence of a contract on the part of the railroad to carry the passenger. It imports that the lawful price of carriage has been paid and that the holder is entitled to the extent and kind of transportation indicated by the instrument.

The passage of the bill is asked not by railroads alone, nor other common carriers, but by commercial bodies, by newspapers, and by citizens almost without number all over the United States. During the last Congress a very large number of petitions were filed, with thousands upon thousands of signatures. The exact number I do not now recall. During the present Congress 3,193 petitions have been filed, signed by citizens of almost all the States and Territories, with a total of something like 100,000 individual signatures; petitions by 450 commercial bodies throughout the United States, representing every large business center, I think without exception, in the United States; and it has had the editorial indorsement of 615 newspapers throughout the United States.

I will not weary the House by reading the entire list of the various organizations, commercial, religious, Grand Army, and labor organizations of various kinds, but I will here print the list in the RECORD as a part of my remarks.

States and Territories.	Peti- tions.	Com- mer- cial.	News- papers.
Alabama.....	159	1	.....
Arkansas.....	27	4	1
Arizona.....	1	1	.....
California.....	1	7	4
Colorado.....	21	13	15
Connecticut.....	4	1	2
Delaware.....	4	1	.....
District of Columbia.....	5	1	6
Florida.....	22	4	2
Georgia.....	78	9	12
Illinois.....	221	32	32
Indiana.....	105	24	6
Iowa.....	157	29	20
Kansas.....	93	8	62
Kentucky.....	14	6	4
Louisiana.....	56	4	3
Maine.....	2	1	1
Maryland.....	16	6	8
Massachusetts.....	20	22	7
Michigan.....	173	20	9
Minnesota.....	61	13	9
Mississippi.....	24	2	.....
Missouri.....	114	23	15
Montana.....	.....	1	.....
New Jersey.....	116	19	9
New Hampshire.....	7	3	.....
Nebraska.....	30	13	22
New Mexico.....	1	.....	4
New York.....	700	38	251
North Carolina.....	76	6	.....
North Dakota.....	8	1	.....

States and Territories.	Peti- tions.	Com- mer- cial.	News- papers.
Ohio.....	206	29	21
Oklahoma.....	.....	1	7
Pennsylvania.....	97	62	41
Rhode Island.....	1	2	.....
South Carolina.....	46	2	3
South Dakota.....	18	2	4
Tennessee.....	120	5	2
Texas.....	140	13	3
Virginia.....	60	4	3
Washington.....	1	4	1
West Virginia.....	1	3	.....
Wisconsin.....	131	15	25
Wyoming.....	1	4	1
Total.....	3,193	449	615

NOTE.—The petitions represent signers to the number of about 100,000; the commercial organizations represent, in round numbers, 296,000; the 615 principal newspapers represent the views of millions of citizens of the United States.

The commercial and other organizations are:

American Association of General Passenger Agents.
American Loyal Railway Political League.
American Merchants' Manufacturing Association.
Brotherhood of Locomotive Engineers.
Brotherhood of Locomotive Firemen.
Brotherhood of Railway Trainmen.
Brotherhood of Electrical Workers of the United States.
Baptist Young People's Union of America.
Custom Cutters' Association of America.
Commercial Law League of the United States.
Epworth League of America.
Grand Army of the Republic.
Hebrew Benevolent Society.
Knights Templar of America.
National Board of Corrections and Charities.
National Association of Agricultural Implement Makers.
New England Passenger Association.
National Association of Merchants and Travelers.
National Association Freight Commissioners.
National Association State Railroad Commissioners.
National Educational Association.
National Board of Trade and Transportation.
National League of Commercial Travelers' Clubs of United States.
Order Railroad Conductors of America.
Order Railroad Telegraphers of America.
Railroad and Telegraph Political League of America.
Southeastern Passenger Association.
Society of the Army of the Potomac.
Swedish Evangelical Covenant of America.
Society for the Advancement of the Deaf.
The Odd Fellows of America.
The Board of Home Missions of America.
The Christian Aid and Employment Society of America.
The Children's Aid Society of America.
United Society of the Free Baptist Young People of the United States.
United Veterans' Union of America.
United Society of Christian Endeavor of America.
Women's Home Missionary Society of the United States.
Women's Foreign Missionary Society of the Methodist Episcopal Church.
Woman's Christian Temperance Union of America.
Young People's Society of Christian Endeavor of the United States.
Young People's Christian Union of the Covenant Church.

These represent in round numbers 5,000,000 voters of the United States, comprising the great labor organizations, national associations of business men, religious, charitable, benevolent, and others.

STATE COMMERCIAL ORGANIZATIONS.

Business Men's League, Hot Springs, Ark.
Grand Army of the Republic, Department of Alabama.
Grand Army of the Republic, Department of Arizona.
Hotel Men's Association, Southern California.
Hotel Men's Association, California.
Chamber of Commerce, San Francisco, Cal.
Board of Trade, San Jose, Cal.
Commercial Association, Stockton, Cal.
Chamber of Commerce, Denver, Colo.
Board of Trade, Denver, Colo.
Chamber of Commerce, Colorado Springs, Colo.
Grand Army of the Republic, Department of Colorado.
Grand Army of the Republic, Department of Delaware.
Board of Trade, Jacksonville, Fla.
Grand Army of the Republic, Department of Florida.
Board of Trade, Columbus, Ga.
Board of Trade, Waycross, Ga.
Chamber of Commerce, Macon, Ga.
Grand Army of the Republic, Department of Georgia.
Heavy Hardware Jobbers' National Association, Chicago, Ill.
Wholesale Grocers' Association, Quincy, Ill.
Western Merchants' Association, Peoria, Ill.
Merchants and Travelers' Association, Chicago, Ill.
Grand Army of the Republic, Department of Illinois.
Board of Trade, Geneva, Ill.
Western Gas Association, New Albany, Ind.
Board of Trade, Columbus, Ind.
Stoney Point Grange, No. 1753, Madison, Ind.
Board of Trade, Indianapolis, Ind.
Commercial Club, Indianapolis, Ind.
Jobbers and Manufacturers' Association, Fort Dodge, Iowa.
Grand Army of the Republic, Department of Iowa.
Business Men's Association, Fort Dodge, Iowa.
Merchants and Manufacturers' Association, Council Bluffs, Iowa.
Commercial Association, Sioux City, Iowa.
Commercial League, Clinton, Iowa.
Keokuk (Iowa) Post, Grand Army of the Republic.
Iowa Council of Administration, Grand Army of the Republic.

Sac County (Iowa) Farmers' Institute.
 Commercial Club, Cedar Rapids, Iowa.
 Board of Trade, Louisville, Ky.
 Commercial Club, Atchison, Kans.
 Commercial Club, Newton, Kans.
 Board of Trade, Iola, Kans.
 Board of Trade, New Orleans, La.
 Mechanics, Dealers, and Lumbermen's Exchange, New Orleans, La.
 Chamber of Commerce, New Orleans, La.
 Business Men's Association, New Orleans, La.
 Merchants and Travelers' Association, Baltimore, Md.
 Grand Army of the Republic, Department of Maryland.
 Merchants' Exchange, St. Louis, Mo.
 Business Men's League, St. Louis, Mo.
 Traffic Bureau, St. Louis, Mo.
 Missouri and Kansas Lumber Dealers' Association, Kansas City, Mo.
 Jobbers' Transportation Bureau, St. Joseph, Mo.
 Commercial Club, St. Joseph, Mo.
 Exposition and Music Hall Association, St. Louis, Mo.
 Interstate Merchants' Association, St. Louis, Mo.
 Commercial Club, Kansas City, Mo.
 Merchants' Association, Boston, Mass.
 New England Confectioners' Association, Boston, Mass.
 Chamber of Commerce, Boston, Mass.
 Boston Associated Boards of Trade, Boston, Mass.
 New England Metal Association, Boston, Mass.
 Trades Association, Boston, Mass.
 Master Builders' Association, Boston, Mass.
 Paper Trade Association, Boston, Mass.
 Clothing Manufacturing Association, Boston, Mass.
 Wholesale Grocers' Association, Boston, Mass.
 Paint and Oil Club, Boston, Mass.
 Druggists' Association, Boston, Mass.
 New England Iron and Hardware Association, Boston, Mass.
 Board of Trade, Grand Rapids, Mich.
 Commercial Club, St. Paul, Minn.
 Chamber of Commerce, Minneapolis, Minn.
 Grand Army of the Republic, Department of New Hampshire.
 Chamber of Commerce, Wilmington, N. C.
 Board of Trade, Asheville, N. C.
 Commercial Club, Omaha, Nebr.
 Board of Trade, Omaha, Nebr.
 Ocean Grove Association, Ocean Grove, N. J.
 Board of Trade, Asbury Park, N. J.
 Board of Trade, Newark, N. J.
 Board of Trade, New Brunswick, N. J.
 Grand Army of the Republic, Department of New Jersey.
 Merchants' Association, New York.
 Chamber of Commerce, Utica, N. Y.
 Grand Army of the Republic, Department State of New York.
 Board of Trade, Rochester, N. Y.
 Board of Trade and Transportation, New York.
 Chamber of Commerce, Rochester, N. Y.
 Merchants' Association, Buffalo, N. Y.
 Merchants' Exchange, Buffalo, N. Y.
 Business Men's Association, Auburn, N. Y.
 Board of Trade, Auburn, N. Y.
 Masonic Board of Relief, New York.
 Canochet Association, Lyons, N. Y.
 Board of Trade, Albany, N. Y.
 Board of Trade, Poughkeepsie, N. Y.
 Board of Trade, Canandaigua, N. Y.
 Commercial Club, Albany, N. Y.
 Board of Trade, Geneva, N. Y.
 Grange 638, Holland Patent, N. Y.
 Board of Trade, Batavia, N. Y.
 Grand Army of the Republic, Department of Oklahoma.
 Railway Employees' Political League of America.
 Coal Dealers' Association, Ohio.
 Commissioners of Railway and Telegraph, State of Ohio.
 Ohio Board of Administration, Cincinnati, Ohio.
 American Loyal Railway League, Toledo, Ohio.
 Grand Army of the Republic, Department of Ohio.
 Board of Trade, Philadelphia, Pa.
 Trades League, Philadelphia, Pa.
 State Board of Railroad Employees, Pennsylvania.
 Grand Army of the Republic, Department of Pennsylvania.
 Board of Trade, Chambersburg, Pa.
 Board of Trade, Reading, Pa.
 Travelers' Association of Pennsylvania, Philadelphia, Pa.
 Manufacturers' Club, Philadelphia, Pa.
 Business Men's Association, Providence, R. I.
 Grand Army of the Republic, Department of South Carolina.
 Board of Trade, Corpus Christi, Tex.
 Business Men's League, Houston, Tex.
 Promotive League, Fort Worth, Tex.
 Board of Trade, Galveston, Tex.
 Commercial Club, Austin, Tex.
 Texas Fair Association, Texas.
 Grand Army of the Republic, Department of Tennessee.
 Chamber of Commerce, Chattanooga, Tenn.
 Business Men's Association, Danville, Va.
 Grand Army of the Republic, Department of Virginia.
 Chamber of Commerce, Milwaukee, Wis.
 Wisconsin Retail Hardware Association, Milwaukee, Wis.
 Business Men's Association, Waukegan, Wis.
 Chamber of Commerce, Seattle, Wash.
 Board of Trade, Seattle, Wash.
 Grand Army of the Republic, Department of West Virginia.
 Grand Army of the Republic, Department of Wyoming.

I will say, Mr. Speaker, that these organizations embrace not only boards of trade in large cities, but they embrace religious bodies, editorial associations, meetings of instructors, teachers all over the United States, departments of the Grand Army of the Republic, and practically all the labor organizations connected with the operation of railroads throughout the United States.

In the very recent past there have been assemblies of business men at Chicago and at St. Louis, assemblies made up of commercial travelers and business bodies, with delegates representing all of the Middle Western States, which meetings have passed resolutions urging upon Congress the necessity for the passage of this measure.

It has come to be practically a measure urged by the business interests rather than by the railroad interests of the country, and these various bodies base their action largely upon the statement that the business of ticket brokerage is a dishonest occupation; that it is the doorway through which innumerable frauds are constantly being perpetrated not only upon the railroads of the country but upon the traveling public; and upon the fact that because the carriers of the country are unable by any means now in their power to stop this fraud, therefore they have refused to grant the rates which they will gladly grant if they have the protection which this bill enacted into law will give them.

One of the strongest features of this bill is that designed to prevent dishonest operations in reference to the issuance of tickets, to prevent frauds of one kind and another, the mutilation of tickets, the theft of tickets, the forgery of tickets, which are constant and universal all over the country.

The amount of fraud that is practiced in the issuance and sale of the tickets of common carriers throughout the country is something which will startle any man who has not given the subject more than passing consideration. I have here, Mr. Speaker, a single volume showing the originals of a few of the frauds that are being perpetrated all the time upon the railroads of the country in the issuance of transportation. Here, Mr. Speaker, is an exhibit showing simply a few of the frauds, forgeries, and deceptions that are practiced against the railroads, and more than against the railroads, against the innocent traveling public, because, Mr. Speaker, in the perpetration of these frauds it is not only the common carrier that suffers, but it is the innocent traveler.

Such frauds are perpetrated more readily upon the man who seldom travels than upon those who are constantly traveling. Here, for instance, Mr. Speaker (exhibiting), is a ticket that is issued and sold with a time limit named therein. It goes into the hands of a ticket scalper, and it is manipulated so that the holes showing the limit of time within which the ticket shall be used are filled, by a process common to ticket scalpers, and new dates are punched out, extending the limits of that ticket.

Here is a mileage book where the cover has been changed and the mileage has been placed in a new cover, where the ticket has, in fact, expired, and thus the railroad company is defrauded. Here is a ticket issued supposedly by the Chicago, Milwaukee and St. Paul Railroad—and hundreds of them were sold through scalpers' offices for passage over other roads, and the coupons thus supposed to have been issued by the Chicago, Milwaukee and St. Paul Railroad never seen, may never have been in existence for all we know, but that which is to go over other lines is sold in Chicago and used over the Lake Shore Railroad, and in this way numberless tickets, going into the hundreds, have been used.

Not until hundreds of these tickets had been used and returned to the auditing department of the alleged issuing road was it discovered that no such ticket was ever issued by the railroad supposed to have issued it. In the meantime passengers have been carried by the hundreds thousands of miles for which the railroad receives no compensation whatever.

Mr. BURKE. Will the gentleman from New York yield for a question?

Mr. SHERMAN. I would rather not, at this moment.

Mr. BURKE. I should like to ask the gentleman a question, directly in the line of his argument, now.

Mr. SHERMAN. Very well, you may ask it.

Mr. BURKE. Do I understand the gentleman to yield?

Mr. SHERMAN. Yes, sir.

Mr. BURKE. You speak of tickets being forged. May I ask what States they were issued in—was it not the State of Wisconsin and the State of Michigan?

Mr. SHERMAN. Oh, no; not alone in those States, in many States.

Mr. BURKE. I should like to ask the gentleman the further question, Do not the laws of the States in which these tickets were issued provide for the punishment of forgery and uttering forged instruments?

Mr. SHERMAN. I think they do.

Mr. BURKE. Then why is it necessary to appeal to the United States for a law of that kind while the laws of the respective States afford abundant means to prosecute these men, if guilty?

Mr. SHERMAN. Because a State provides a statute upon that particular subject I conceive it to be no argument why the United States should not also provide a statute to cover a like offense.

Mr. BURKE. I thought State laws were abundantly able to protect the business of the State.

Mr. SHERMAN. That would only be applicable to offenses within the State, and not applicable to offenses outside of the State.

Mr. BARTLETT rose to ask a question.

Mr. SHERMAN. I shall be obliged to request that I be not further interrupted, if the gentleman will please excuse me.

The SPEAKER. The gentleman declines to be interrupted.

Mr. SHERMAN. There, for instance [exhibiting], is a sample ticket that was issued in the name of the Rock Island Railroad,

and bears the facsimile of the signature of the general ticket agent of that railroad, and which was, in fact, never issued by the Rock Island road; and before that fact was discovered it was accepted by other common carriers and carried 200 passengers to various points upon other railroads—the Louisville and Nashville in the main was the victim. Here [exhibiting] is another ticket, issued, supposedly, by the Chicago, Milwaukee and St. Paul Railroad, and which carried passengers over other roads. That particular one carried a passenger to Rotterdam Junction, over the West Shore and Fitchburg road down to about Albany; and 200 tickets were issued and used before it was discovered by the auditing department of the Chicago, Milwaukee and St. Paul Railroad.

That ticket was an absolute forgery, and no such ticket was in fact ever issued by the railroad supposed to have issued it, and the facsimile signature of the general passenger agent it bore was a forgery. There is a mileage book which is a forgery; and I have here among the papers some annual passes issued to railroad officials and newspaper men by various railroads which have crept into the hands of ticket scalpers, and which have been sold and used until the fraud was discovered and they were taken up by the railroads over which they were used. These various frauds—forgeries, erasures, change of dates—are too numerous to mention, Mr. Speaker. The number of alterations that I have here run up into the score—aye, almost into the thousands. Some of them have taken place right here, in the city of Washington.

Here is one that was issued just about the close of the last session of Congress. It was issued by a ticket broker in the city of Washington with an alleged drawback upon a ticket broker in the city of New York. The drawback was refused; no such arrangement as the ticket agent guaranteed to the passenger was ever made. The passenger bought the ticket to New York and return. It was not redeemed according to the contract given him by the broker here in Washington at the time the ticket was purchased—the broker whose name is signed to the guaranty. The ticket broker furnishes the fence through which these frauds can be carried on, and without the ticket broker it will be impossible to perpetrate such frauds to any considerable extent.

Possibly, once in a while, a single ticket might be forged, altered, or changed, but it is through the medium of the ticket broker that these frauds have been carried to so great an extent. It has always been and must always be so. The ticket broker's surroundings bear on their face a semblance of authority; he has an office in which he has cases and innumerable tickets, giving a public appearance of regularity, giving the passenger the idea when he enters the office that he is entering a place that has the authority to deal in tickets. There he purchases a ticket which defrauds the common carrier if the deception is carried out, and if it is not, it defrauds the innocent passenger. All these cases which I have illustrated to you, where I have shown you the tickets, are cases where the passenger has been defrauded because the deception has been discovered and the ticket taken up, and the passenger forced to pay his fare again for transportation or he was ejected from the train.

Here are a couple of annual passes, of which I spoke a moment ago, which were issued by the Baltimore and Ohio Railroad which reached the scalper's office and there the name of the person to whom the transportation was issued was erased with a chemical and the name of another person inserted in its place and the pass sold. It was lifted from the passenger, who was forced to pay the fare for the passage he desired.

One of the favorite operations of ticket brokers, Mr. Speaker, is in the return coupon of a special nontransferable ticket, sold at a reduced rate, usually one rate for the round trip in consideration of its use within a limited time by the purchaser. The purchaser uses the ticket one way, sells it to a scalper, who in turn sells it to a person, who, to effect its use, impersonates the original purchaser, in so doing acting under instructions from the seller, which instructions are often upon printed blanks, as follows:

INSTRUCTIONS TO PASSENGER.

Passenger, remember that to use this ticket you must remember the name of original purchaser, which is very easy to do by remembering the following instructions:

The ticket was bought at _____ at the _____ office on the _____ day of _____, \$ _____ was paid for the round trip. Your name is _____ Your ticket was stamped for return passage at _____ on the _____ day of _____ Occupied sleeper _____ You came via _____, and arrived at _____ on the _____ day of _____

We guarantee your ticket, if the above instructions are strictly adhered to. Do not ask conductors or agents if your ticket is good; most of them are nice men, 'tis true, but they work for a different company.

This is advising a perpetration of fraud on the part of the passenger, first, because he is compelled to sign a name other than his own to the ticket, and then the deception and lying in stating to the agent of the company that which is not true. These frauds, Mr. Speaker, have reached such enormous proportion that it has not only affected the receipts of the railroads of the country to an appreciable extent, but it has caused passengers, as I have before stated, almost without exception the poorer class of passengers, innumerable hardships, being thus imposed upon by being detected in the attempted imposition upon the transportation company.

These frauds have reached such an enormous proportion that the business men of the country have taken the subject in hand and have held meetings at Chicago and St. Louis, enormous meetings, attended by the representatives of the business men and commercial travelers throughout all the middle West, at which they have emphatically denounced the business of ticket brokers and urged upon Congress the passage of this bill, which will prevent the perpetration of further frauds by closing the gates through which frauds are carried on. These are briefly—and I have tried to be brief—the provisions of the bill and some of the reasons why the Interstate Commerce Commission has so earnestly and strenuously advocated the passage of this bill and why the business interests of the country now so earnestly advocate its passage.

International Banking Bill—Legislative Discrimination—Trusts.

SPEECH

OF

HON. W. D. VINCENT,

OF KANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 16, 1898,

On the bill (H. R. 10807) to carry into effect the recommendations of the International American Conference by the incorporation of the international American bank.

Mr. VINCENT said:

Mr. SPEAKER: The title of this bill is very innocent in appearance, but the provisions of the bill are not so harmless as the title would indicate. For years the people have been protesting against the organization of trusts. True, these protests have been feeble and ineffectual. Men have talked against trusts and voted for them in Congress and out of Congress, but scarcely anybody has dared to openly defend these great corporations. Their evil effects are so plainly visible that nearly everybody is ready to cry out against them, and yet this bill provides for the incorporation of the most gigantic trust of all. In the first place, it requires a capital of \$5,000,000 to start this international bank. That one requirement makes it a monopoly. Why should this Government grant special privileges to those only who can raise \$5,000,000?

We are proceeding upon the theory that the rich must be protected; the poor can take care of themselves. For the past twenty-five years it appears to have been the highest duty of government to legislate for the benefit of the wealthy few and provide profitable investments for those who have more money than they know what to do with. The gentleman from Pennsylvania [Mr. BROSIUS] expressed the central idea of all our financial legislation when he said yesterday in advocacy of this measure:

Capitalists North and South would have new fields for investments. The loans of the United States might find new markets this side of the Atlantic. At least we would not be confined to English syndicates when we found it necessary to farm out the Treasury of the United States to keep up our gold reserve.

That was a clear and frank admission, Mr. Speaker, and I am glad it came from such eminent authority, that if the sacred gold reserve is to be kept up it must be done by continually issuing bonds at irregular intervals. It seems to have become the settled policy of our "great financiers" to "farm out the Treasury of the United States" in order that capitalists may have new and profitable fields for investment. Legislation of this kind has become so common these days that it is looked upon as a matter of course; and even the poor dupes upon whom the burdens rest have been educated up to that point, or, rather, I might better say, down to that degree of political and partisan subservency and degradation when a majority of them will march up to the polls year in and year out and indorse it. Men who are sent here to represent all the people seem to forget that they are under any obligations to serve anyone except the banking interests, the railroad corporations, and other forms of monopoly.

Why, Mr. Speaker, the only bill reported by the Committee on Interstate Commerce during the present Congress was what is known as the anti-scalping bill, and that was a measure that was asked for by the railroad companies. It was a bill in which the railroads were especially interested. The real effect of the measure when it becomes a law will be to more effectually prevent competition in passenger traffic among the roads. It takes away from the citizen the right to purchase his ticket where he can get it cheapest and tends to legalize railroad pools and consolidations. Of course the bill passed this House because the railroad companies asked for it.

Another bill which passed the House—and that was during the last session—was an appropriation bill which continues the rate of \$6.58 paid to the railroads for hauling 100 pounds of mail matter the average haul, while the Census Report for 1890 shows that the

average rate paid by the express companies for their average haul was but 60 cents per hundred pounds. It is also an undisputed fact that the Post-Office Department was paying and is now paying by sanction of this Congress, in addition to the above rates, an extra charge, averaging \$6,250 each year for the use of each special mail car, notwithstanding the fact that these cars cost only from \$2,500 to \$4,000 each. Why is this done? Because the railroads want it. I can not imagine any other reason for it. Surely the taxpayers do not ask for such legislation. Yes, but you say "the taxpayers continue to vote for us." That is true, but it is a reflection upon their intelligence. They do not know what you are doing. Some day they will find out, and then there will be some fine grinding; and the sooner it comes the better.

What excuse can be offered, Mr. Speaker, for paying ten times as much to the railroads for carrying the United States mails as the express companies are paying for a service that is equally or more expensive to handle, and then paying twice as much every year for the use of cars in which to haul this mail as it costs to build the cars? What will the people say of this way of doing business when they find it out? The time will come when voters will cease to indorse everything that is done by their party leaders. They will vote a principle instead of a prejudice; for themselves instead of their party. When they do, there will be such a shaking up of dry bones as has not been witnessed before for years, and the men they send to Congress will not dare to vote their money to corporations without the shadow of excuse or justification.

No other bills except the two I have just mentioned that affect railroad corporations have even been considered by this House during the two years of the Fifty-fifth Congress, which is now drawing to a close. There is great complaint among the people, and there is just cause for complaint, because of railroad extortion and oppression, but this House has no time to waste in an honest effort to correct these evils. We have only time to consider and pass such measures as the railroad and other corporations ask us to pass.

There is another matter, Mr. Speaker, that I desire to refer to briefly while I have the opportunity. It may be, and in fact is, foreign to the bill under consideration. I refer to the law under which the Government is paying one-half the taxes of the District of Columbia. I was not aware until I was elected a member of this body that this great injustice was being perpetrated upon the taxpayers outside the District, and I will venture to say that not 1 per cent of the voters are aware of the existence of such a law to-day. This is another outrage the people will not tolerate any longer than they are kept in ignorance of the fact. When they have learned the self-evident truth that their first obligation is to themselves, their wives, and their children instead of their party they will elect men to Congress who will promptly do away with this unfair discrimination.

Why should the farmers and merchants in my district be taxed for the benefit of those who are fortunate enough to be able to live in and enjoy the luxuries of the great city of Washington? Why should their burdens be increased in order that the owners of wealth in Washington may go free of their just share of taxation? Why discriminate between cities? Why not exempt Chicago, St. Louis, and Kansas City from taxation? The people who live in my district are just as good, just as worthy, and just as much entitled to special favors as are the citizens of Washington. Why should not the Government pay half the taxes of my district instead of doing this for the District of Columbia? If the Kansas farmers should ask for such a law, the request would be met with derision and ridicule, and justly so, but they would only be asking you to do for them what you are now doing for people who are more able to pay their taxes than are the farmers of the West.

The only excuse that has been offered for this high-handed outrage is the fact that the Capitol of the United States is located here. But that is no excuse at all. On the contrary, it is an argument against it. There is not a city in the country that would not be glad to have the Capitol, and they would not ask to be exempt from taxation, either. Not only that, but they would be willing to pay the Government hundreds of millions of dollars for the blessing. Why? Because it would increase their business and increase the value of their property. Every public building erected and every improvement made by the Government adds to the value of real estate in this city. Landowners here have been made immensely rich without any effort on their part because of the increase in land values.

The Government has been making them richer year by year, as it has continued to erect one building after another to accommodate the nation's business. All the people have been taxed to make these improvements, and thus all the people have contributed to make landowners in this District wealthy. Land in the District of Columbia is probably worth five hundred times as much as it would be had the Capitol been located elsewhere, and yet that is offered as a reason and the only reason why those who have profited by it should be exempt from taxation. Our tax system is bad enough at best. Under a just system the value added to land

by the whole people would go to the people instead of going to a few individuals. Land speculators in Washington, as elsewhere, reap unearned profits even when they are not exempt from ordinary taxation.

Now, Mr. Speaker, much has been said about the speeches that are delivered upon this floor for "home consumption." I freely admit that the few remarks I have submitted this morning are expressly intended for home consumption. I do not expect that this House, which has deliberately perpetrated the wrongs I have mentioned, to say nothing of those I have not mentioned, will be influenced by anything I have said or may say, but I believe it to be my duty to inform the people I am trying to serve of some of the iniquities that are going on and for which the lawmakers of this great Republic are responsible. I do not expect to be successful in persuading anyone to vote against this proposition to incorporate the "international American bank;" but I shall vote against it, because I believe it is in line with the other measures I have feebly but earnestly protested against.

In my opinion it can only result in helping the few at the expense of many. Ultimately it will absorb all the small banks and only aggravate the commercialism of the age by which combinations of capital are crushing out the smaller business enterprises. It will prove to be the entering wedge for the formation of one of the most gigantic trusts of the age. I am as much in favor of extending and enlarging our trade with other countries as any man on this floor, but this is not the best way to do it. We should build up a better home market and increase our local trade by such legislation as will enable every man to buy what he needs. This can be done and will be done when the welfare of the whole people receives the same kind and considerate watchfulness that is now bestowed upon the favored few. The extension of our foreign trade is not of such vast importance as is the question of corporate rule. Shall the corporations continue to control the people, or shall the people, through their Government, control the corporations? That is the real question.

International Banking Bill.

SPEECH

OF

HON. WILLIAM L. GREENE,

OF NEBRASKA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 15, 1898,

On the bill (H. R. 10807) to carry into effect the recommendations of the International American Conference by the incorporation of the international American bank.

Mr. GREENE of Nebraska said:

Mr. SPEAKER: I have listened with much interest and profit to the discussion of the bill now before the House. Indeed, it would be hard to find a subject which would not elicit interest when under discussion by such able gentlemen as those who have addressed us on both sides of this most important one.

Had it not been for a deep-rooted and well-settled conviction that this is a bad measure, I would have been carried off my feet by the eloquent and powerful argument of the gentleman from Pennsylvania [Mr. BROSIUS], who opened the discussion in favor of the bill. This was particularly true of the closing paragraphs of his speech, which were replete with patriotism and a beautiful tribute to our great country. Sir, with all he said in praise of our country and its heroes I am in the most perfect accord.

I would not dim one star in its diadem of glory or snatch one laurel from the brow of its heroes. I would open wider the open gateway to our boundless possibilities. I would hail with unbounded delight a merchant marine the equal of any that plow the seas. I would hail the day when the flag of our beloved country will glorify every sea and float in every port; but, sir, I do not agree with my able friend from Pennsylvania that this measure is the touchstone of all our greatness or that it is even a step in that direction, that it is a part of a forward movement, or "one terrace in the heights of destiny we are climbing." On the contrary, I am led to believe it is a wolf in sheep's clothing. I have observed for a number of years that every unholy and vicious measure appears on the stage for public inspection wrapped up in the American flag, and peers out from under a veil of patriotism. Thus clad, the veriest witch or hag is made to appear comely, but when the people have been deceived, and embraced it, the mantle falls and corporate greed stalks forth to defy the deceived.

It is also true that times like these are the most propitious for this class of legislation. Our patriotism has been stirred as not for years, while our national pride has been fanned into flame,

and at the sound of national glory we are too apt to embrace a proposition without investigation, too prone to see only the bait and not the trap into which it is proposed to allure us. In times such as these legislators should pause long and guard well before taking a step into untried fields. It is better by far that new departures, if they are to be made, should be made in times of tranquillity, when passions are not aroused or vanity heightened to unusual proportions.

I desire to call attention, first, briefly to the provisions of the bill, then to offer some reasons why, in my judgment, it should not pass. The purpose of the bill is to charter an international American bank or banks, for there is no limit to the number of such institutions that may be organized, with power to establish eight branches in the United States and others in Mexico and the Central and South American republics. The capital of these corporations is limited to a minimum of five millions and a maximum of twenty-five millions of dollars, with full banking powers, save they are prohibited from issuing money, their charters to run fifty years.

Has Congress the power under the Constitution to charter such an institution? To my mind, while not claiming superiority or even great ability as a constitutional lawyer, we have no such power. If the corporation is purely a private one, to be carried on for private gain only, then confessedly its creation by Congress would be an infraction of that instrument; but if it is for the purpose of performing some function of Government or for an aid to the Government in carrying out its proper functions, then Congress may constitutionally create such a corporation. I regard this as the true test in this case.

The creation of the old Bank of the United States of Jackson's day and the enactment of our present national banking law have been cited by gentlemen in support of the constitutionality of this bill, but as I view it they are not in point at all. The old national bank was made by its charter the fiscal agent of the United States, and it was distinctly upon the ground that the bank was a means to aid the Government in the performance of its functions that its constitutionality was upheld by the Supreme Court. The national-bank law now in force is constitutional upon the ground that it was created as a means by which the Government carries out its sovereign prerogative to issue money and in other ways a means of carrying out sovereign powers.

The framers of this bill have themselves admitted in the bill that this is not a means to be employed by the Government of the Union to execute any of its sovereign power, for in the twenty-second section of the bill it is provided that—

The property, franchise, and business of said corporation shall be subject to be taxed by the States in which said property shall be or the said franchise and business shall be exercised and conducted as fully and to the same extent as said State may tax the property, franchise, and business of domestic corporations, and the shares of stock of said corporation properly situated in any State for taxation may be taxed in said State to the same extent and in the same manner as other personal property.

The framers of this bill were aware that the subject of taxing institutions by States in their property and franchise, which were created by the Government and employed by it in the execution of its constitutional powers, was not an open question, and must, therefore, have understood and believed this bill not to be one of that character. In the case of *McCulloch vs. The State of Maryland*, 4 Wheaton, 316, the court, by Chief Justice Marshall, says:

The Bank of the United States has, constitutionally, a right to establish its branches or offices of discount and deposit within any State. The State within which such branch is established can not, without violating the Constitution, tax that branch. The State governments have no right to tax any of the constitutional means employed by the Government of the Union to execute its constitutional powers.

This, as all know, was a case growing out of an effort on the part of the State of Maryland to tax the old United States Bank, and the very reason assigned by the court why said State could not tax the bank was that it was organized to aid the Government in the exercise of its constitutional functions, and was not, on that account, a private corporation. If this Congress has the power to create this corporation, then surely no State has a right to tax its property and franchise, as is provided in section 22 of the bill.

How gentlemen can harmonize their positions on this bill is hard for me to see. In one breath they say we have the power to create it, because it is to aid the Government in the regulation of commerce, and that it is not on that account a private corporation, and in the next, avow that the States have a right under the Constitution to tax it, two propositions in law diametrically opposed. The truth is, this corporation proposed by this bill is purely a private corporation in the fullest sense of that term, and the framers of the bill, when they drew it, must have so understood it, else would not have provided for its taxation by States. And if a private corporation, then it is clear Congress is utterly without constitutional power to create it.

In the case of *Osborn vs. The Bank*, Chief Justice Marshall

used these words, in speaking of when Congress might create a corporation:

That if it was a bill for private profit and gain, it was unconstitutional. If it was a bill for private profit and gain, Congress is without power to create it. It has never been supposed that Congress could create such a corporation.

In notes of the Federal Convention, by Madison, we find that:

Mr. Madison and Mr. Pinckney moved to insert in the list of powers vested in Congress a power to establish a university in which no preference or distinctions should be allowed on account of religion. This was denied.

This is as purely a private concern as the university named in that motion, and the framers of the Constitution not only understood that that instrument conferred no power on Congress to create such a corporation, but refused to so amend it as to grant the power. The gentleman from Massachusetts [Mr. WALKER] invites us to go to the very verge of our constitutional powers to pass this bill. He is consistent, for he frankly tells us that he favors and believes in combinations of capital. I have learned to admire him for his honesty and frankness on all occasions.

But, aside from the constitutionality of the bill, there are other grave reasons why it ought not to pass. The first is it is not the purpose of this bill, in its real meaning, to create this bank for foreign exchange and trade, but it is for domestic banking. There is nothing that this bank could do, if authorized, that any bank can not do now in the way of facilitating exchange. Any bank can now establish a correspondent in any of the South American republics and do the same business in that line suggested by this bill, and it is true that such agencies are now established in Mexico and wherever else the business will pay. Does anyone doubt that the great banks of this country are keen to scent profit wherever it is to be made, and will put their correspondents and agencies wherever on the earth it pays to put them?

Sir, the object of this concern is domestic banking, and not foreign. Suppose we charter this bank. It will establish its great center in New York and its eight branches in as many great cities of the country. What would be the result? A beginning, at least, of the centralization of banking. Under this bill an unlimited number of such concerns may be organized, and this mighty octopus, with its many heads, located in New York would ramify by its branches all the cities of our country and destroy all independent banking, and there would be a continual flow of the money from all parts of the country into this great center and seat of the banking power. This bill ought not to pass, because it is legislation by piecemeal.

Pass this bill and in the next Congress, after this gigantic corporation is organized, it, with its brood, will be here, clad in the habiliments of patriotism and national prosperity, and with love for American labor written on its brow, telling us that it is now necessary to give it power to issue money. Then you will have the McCleary bill in operation by taking one step at a time. I do not charge that the gentlemen who reported this bill so intend or so believe, but this is the purpose of the promoters of this scheme. Then we will have the control of the money of our country centered in the hands of this great concern for fifty years. Ah, but gentlemen say, We can repeal the law at any time. This is easily said, but he who knows the power of money will readily understand how hard it is to break such a power as this would be. Sir, it is much easier to not do than to undo.

Anyone who has studied the history of the old United States Bank knows its methods. It reeked with rottenness until its smell reached the skies, and yet it took the sturdy Andrew Jackson to break its power.

With the history of that bank before us, I was greatly surprised to hear the gentleman from Iowa [Mr. LACEY] say that in its destruction Jackson made a mistake. Create this concern, and its power will be felt in all the halls of legislation from one end of this country to another. No State capital will be free from its lobby, and to this Capitol they will gather like buzzards around a carcass. Any man who lifts a finger against their demands will be marked for the slaughter, and it would take another Jackson to strip it of its power. And, sir, if the occupants of the White House for the past few years are specimens of the future, we are about done sending Jacksons there.

Better stop before we take the step. Better think rather than repent that we did not think. One thing I would not overlook, because it is ground for surprise. The Republican party in all of its platforms poses as the friend of labor and even declares against trusts, and all over the country, and particularly in the Western States, on every stump they denounce these soulless creatures of extortion and plunder; and still on this floor every measure calculated to create and foster trusts and combinations of capital, the result of which can only be to lessen the right and powers of the people, finds its supporters on the Republican side of this Chamber.

But one voice has been heard across the aisle against this bill, and that was from the gentleman from Minnesota [Mr. JENKINS], and he was quite particular to place his opposition to it on the ground of its unconstitutionality only.

The men who are urging its passage are the leaders on the Republican side of this House.

Sir, why is it that upon all these measures calculated to combine wealth and centralize power the Republican party stands almost as a unit? Some day the great masses of our people will be asking this selfsame question, and will, I trust, themselves answer it at the ballot box.

Anti-Scalping Bill.

SPEECH

OF

HON. JAMES R. MANN,

OF ILLINOIS,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, December 7, 1898.

The House having under consideration the bill (H. R. 7130) to amend an act entitled "An act to regulate commerce"—

Mr. MANN said:

Mr. SPEAKER: The bill now under consideration by the House is familiarly known as the "anti-scalping bill," and the design of the proposed enactment is to prevent, by penalty of fine or imprisonment, or both, any person not a regularly authorized agent of a common carrier from selling, bartering, or transferring for any consideration whatever the whole or any part of any ticket or other evidence of transportation, so far as the same relates to interstate railroad travel.

While the pending bill is usually denominated as the anti-scalping bill, it ought really to be called "A bill to permit the pooling of passenger traffic and the raising of passenger rates on the various roads."

The distinguished gentleman from Iowa [Mr. HEPBURN], the chairman of the Committee on Interstate and Foreign Commerce, which has reported this bill favorably to the House, has stated here in debate that many of the weaker roads or lines furnish tickets to the scalpers at reduced rates in order to obtain business over their less favorable or longer roads, which otherwise would go to better equipped and shorter roads, as, for instance, between Chicago and New York. That statement is undoubtedly true. The only actual contention as to rates in the passenger business between New York and Chicago to-day is had through the scalpers, and if these weaker lines are made unable to sell their tickets at the cheaper rates through the scalpers, the result will be in the end that most of the business will be done over the stronger lines. Competition will be largely ended and passenger rates will probably be increased.

The nominal or listed passenger rates between any two points over different roads must always be the same, less the difference which may be agreed upon as a "preferential" in favor of weaker lines. For instance, say that the passenger rate from Chicago to New York on the best lines is \$20, but some of the roads by agreement are given a preferential of \$1, so that those roads can sell tickets between the same points for \$19. This is the custom in passenger business, though I do not pretend to give the exact figures here. By the aid of the scalpers any one weaker road which does not think it is getting a fair share of business can place its tickets on sale at a still lower rate without precipitating a rate war. Such weaker road could not publish the lower rate, because if it did that would produce a rate war, and in the end the power of capital and the influence of the stock market and financiers would end the war by placing the rates back where they were before the lower rate had been made.

But I do not propose to enter into any extended discussion or comparison at this time of the arguments for and against so-called ticket scalping.

It must be obvious to the most obtuse that ticket scalpers can only exist by selling tickets at less than the regular rates from point to point. The effort to do away with ticket scalpers, therefore, is distinctly an effort to prevent tickets being sold at less than regular rates. The power of government to prevent railroads from exceeding a certain passenger or freight rate has been frequently asserted and sometimes exercised, though, I believe, never without vigorous objection on the part of the roads. But in this bill the curious anomaly is presented of the roads themselves seeking to prevent other people from fixing passenger rates lower than the railroads desire. This is the most extreme exercise of the governmental authority to prescribe rates. The only object, or the principal object, of this anti-scalping bill is to prevent the cutting or lowering of passenger rates to the people.

Without entering into an argument at this time as to whether this would be a benefit to the public or not, I merely wish to say that, in my opinion, if Congress is called upon to enact legislation

to prevent the selling of tickets to the public at lower rates, it is also called upon to enact legislation which will authorize the Interstate Commerce Commission or some other national authority to prevent excessive or unreasonable rates, and to decide what are fair, reasonable, and compensatory rates, both as to passenger and freight traffic.

For a number of years propositions have been before Congress to legalize the pooling of freight business between the railroads. The bill now under consideration is practically for the purpose of legalizing the pooling of passenger business and making it so that there can be no competition between the roads. It has been stated time and time again by the members of Congress and by the Interstate Commerce Commission and the various mercantile associations that if the railroads would accept legislation authorizing the Interstate Commerce Commission, or some other national body, to say what should be fair and reasonable freight rates, subject to appeal to the courts, that they might probably be given the right of pooling.

But, Mr. Speaker, there is no provision in this bill, or anywhere in the present law, giving to any national body or commission any authority to determine what is or shall be a proper passenger rate, and if this bill becomes a law there is no reason why the railroads may not increase the passenger rates now in force. Competition will be done away with; they will have no method of cutting rates; they will lose the principal method of bringing on passenger-rate wars, which have reduced passenger rates from time to time; they will be absolutely in control of stronger railroad lines and these will be enabled to raise passenger rates, and they will probably do so.

Mr. Speaker, I have the highest regard and respect for the interests of the railroad corporations of our country, as well as for the many able and distinguished men who so capably preside over their destinies. The men who manage the railroads of the land are among the most honorable, most prudent, most active, and most able and broad minded of the business men of our country. I appreciate the difficulties under which they now labor. I would not raise an obstacle in the path of their effort to form some of their business methods.

I sincerely wish for them success, and for the roads under their control prosperity. A road which is prosperous, which employs many men, which keeps its track in good order, which increases the number of its engines and its cars, which builds new depots and more track, which pays good wages to its engineers, its conductors, its brakemen, its firemen, and all of the other numerous railroad employees, is a great blessing to the communities through which it runs. It scatters its goodness on every side; while the road which is running behind, which neglects its road, which does not add to its track or its buildings, may in many ways damage rather than benefit the community dependent upon it.

If the railroads were willing to agree upon a bill giving them the right of both passenger and freight pooling, with some proper national commission or authority to control the exercise of that right, so that the roads would not be able to keep or raise their rates above reasonable fairness, and so that the national commission or the courts would have the authority after full hearing to decide upon the reasonableness of listed rates, I for one would be glad to support and vote for such a bill.

But, Mr. Speaker, I doubt whether the bill under consideration should under any circumstances become a law. Already the National Government has trenched far enough upon the jurisdiction of the State governments in the matter of criminal prosecutions. It has been said by the gentleman from New York [Mr. SHERMAN] that many of these tickets sold at the scalping offices are forged or stolen. Every State in the Union provides by law for the punishment of forgery and theft. In every State of the Union a conviction can be had for the forging or stealing of railroad tickets, as well as any other class of documents or papers. That reason might as well apply to the issuing of bank checks.

Some people will forge and steal bank checks and drafts, but I never have heard that it is the duty of the National Congress to provide that bank checks and drafts shall not be issued or that they shall only be issued by certain authorities, or that the person guilty of the forgery or theft shall be prosecuted in the Federal courts. No reason exists why the National Government should provide for the punishment of these crimes, and those who are accused ought to have the right of trial at their homes, in their own counties, by their neighbors, in their State courts, and under State jurisdiction. The punishment of crimes locally lies at the very foundation of our form of government.

It will be noticed that it is proposed to create two classes of offenses by the bill: First, the offense of selling tickets, and the other the offense of refusing to redeem unused tickets.

The offense of selling tickets, while aimed at the scalpers, applies to the individual generally, and for that offense the punishment is fixed at a fine not exceeding \$1,000, or one year imprisonment, or both. The offense of refusing to redeem unused tickets is aimed at the railroad corporations, and there the fine is

not to exceed \$100. The individual who sells an unused ticket may be fined \$1,000. The railroad which refuses to redeem the unused ticket may be fined only \$100. The bill therefore gives preference in this regard of 10 to 1 in favor of railroad companies; and the other provisions of the bill give a preference to the railroad over the individual citizen in about the same proportion.

For example, it is provided by section 2 of the bill that a purchaser of a transferable ticket in good faith for personal use shall have the right to resell same to a person who will in good faith personally use it in the prosecution of a journey. Those in favor of this bill have pointed to this provision as showing how liberal the bill was toward a bona fide purchaser of a railroad ticket. The provision is put in the bill as a proviso, and the accused person desiring to take advantage of this exemption would be required to plead and prove the fact that the provisions of the exemption applied to him.

In other words, a person selling an unused railroad ticket which he had bought for his own use would be required, if indicted under the law, as he might be, to prove that he had sold his ticket to another person who did in good faith personally use it in the prosecution of a journey. As it would be impossible at the time of sale to know whether the purchaser would in fact so use the ticket, no one would be safe in making the sale. This provision makes the seller of an unused ticket criminally liable for the good faith of the purchaser. It is a simple travesty upon justice and fairness.

PERSONS OPPOSING THE BILL.

Mr. Speaker, there is no demand by the people of the country for the enactment of this proposed legislation. There have been filed in this House petitions and protests against this bill by various labor organizations and other organizations and persons representing hundreds of thousands of people, and there have been very few petitions presented here in favor of the bill. The only labor organizations which have presented petitions here favoring the passage of this bill are organizations of railroad employees. It is not necessary to discuss the reasons which have caused them to send petitions here in behalf of the bill.

As an example of the form of petitions presented here against this bill, I call your attention to the protest of the Building Trades Council of Chicago, one of the most important labor organizations in this country, and which is as follows:

CHICAGO, November 27, 1897.

DEAR SIR: Whereas the great railroad corporations are striving to pass a law by Congress to prohibit ticket scalping; and

Whereas the workmen of this country are forced very frequently to travel from one city to another in search of employment: Therefore, be it

Resolved, That the Building Trades Council, representing 75,000 members, requests the Senators and Representatives in Congress from Illinois to vote against the anti-scalping bill for the following reasons:

First. The bill would destroy a natural and legal right to dispose of one's own property in the open market.

Second. It would send a man to the penitentiary as a felon for selling a railroad ticket which he had purchased, although could not use.

Third. It would enable the strong railroad companies to shut out the weak lines on through business, and thus give them a monopoly.

Fourth. The passenger traffic is now almost controlled by trusts, except for the relief afforded by ticket scalping.

And be it further resolved, That a committee of three be appointed to secure resolutions from other States.

EDWARD CARROLL, *President*,
W. T. SHERMAN, *Recording Secretary*.

HON. JAS. R. MANN,
House of Representatives, Washington, D. C.

There have been hundreds upon hundreds of similar protests presented to this House.

The Chicago Federation of Labor and more than a hundred different labor organizations of the one city of Chicago have passed resolutions which have been presented to this House protesting against the passage of the anti-scalping bill. Similar action has been taken by the people and labor organizations of other States.

PERSONS FAVORING THE BILL.

Various members of this House have received letters from clergymen requesting the passage of the anti-scalping bill, on the ground that scalping is immoral. I do not doubt that most of these requests have been made in good faith, though in ignorance of full information upon the subject. But I can not but sincerely regret that the high-minded gentlemen who carry on the railroad business of our country should have adopted methods somewhat coercive in character in order to secure the support of the clergy. Some time ago the railroad officials generally sent out to the ministers to whom clergy half-fare certificates had been issued a circular letter urging such clergymen to request the Congressmen and Senators to favor this "anti-scalping bill, in view of their mutual interest" with the railroad companies, pledging to ministers who should do so the profound appreciation of the railroad company, with an intimation that unless such a bill was enacted into law clergy half-fare tickets might in the future become a rarity.

The National Association of Merchants and Travelers in Chicago passed the following resolution:

Resolved, That the National Association of Merchants and Travelers urge upon Congress prompt legislation, in conformity with the repeated recommendations of the Interstate Commerce Commission, and to pass without delay what is known as the anti-scalping bill.

In a circular letter of 22 pages sent out by the so-called "Anti-scalping Bureau of Information," 7 pages were devoted to the position taken by this National Association of Merchants and Travelers, and that association has probably been the most potent factor in giving character and standing to the advocates of this bill.

Mr. J. J. Wait, chairman of the railroad committee, in a circular letter sent to various members of Congress, November 19, 1897, called attention to this resolution which had been passed by the National Association of Merchants and Travelers. Thereupon, on December 20, 1897, I addressed to Mr. Wait and to the president of that association, Mr. A. C. Bartlett, of Chicago, the following letter:

WASHINGTON, December 20, 1897.

MY DEAR SIR: I should like to ask whether you believe that Congress should enact any law for the purpose of doing away with the scalpers or granting to the railroad companies the pooling privilege unless at the same time there is such amendment to the interstate-commerce act that the final regulation and control of freight and passenger rates shall be placed in the hands of the Interstate Commerce Commission or some other national authority? In other words, do you believe that the railroad companies should have the right to pool and at the same time the right to make freight rates unrestrained by any national authority? And do you believe that the selling of cheap tickets by scalpers should be prohibited and the railroad companies still have the right to absolutely fix the passenger rates without any control by any national authority?

Yours, very respectfully,

JAMES R. MANN.

Mr. J. J. WAIT and Mr. A. C. BARTLETT.

In reply I received a letter from Mr. Bartlett, as follows:

CHICAGO, December 27, 1897.

DEAR SIR: Replying to your favor of the 20th instant, you evidently misunderstand our position to some extent.

The resolution passed by our association refers, first, to the recommendations of the Interstate Commerce Commission, and, second, to the anti-scalping bill. These recommendations of the commission cover the necessary amendments to the law, and we consider that of first importance. * * *

A. C. BARTLETT.

HON. JAMES R. MANN,
House of Representatives, Washington, D. C.

I also received the following reply from Mr. Wait, the chairman of their railroad committee, to wit:

HON. JAMES R. MANN, *Washington, D. C.*

DEAR SIR: Replying to yours of December 20, we answer your three questions emphatically in the negative.

When we favor the recommendations of the Interstate Commerce Commission, we of course mean that the amendments suggested should be passed as a whole. Of these the most important is the strengthening of the powers of the commission.

We are opposed to pooling except under adequate restrictions. We feel the same way about any legislation favoring the railroads, and although we are anxious to have the anti-scalping bill passed and willing to have pooling legalized, it should be only on condition that the national control is adequate.

Yours, very truly,

J. J. WAIT.

These gentlemen state very strongly in their replies to me that they only favored the passage of the anti-scalping bill in connection with other amendments to the interstate-commerce act, and then only if the national control of passenger rates shall be made adequate. I have received a great many letters from various business men of Chicago urging the passage of this anti-scalping bill, but also urging in each case that the other amendments to the interstate law suggested by the Interstate Commerce Commission shall be passed.

I would be willing to support a bill embodying all of these suggestions in one measure, but I have seen no indication as yet in this House that any effort was being made to pay any attention to the other recommendations by the Interstate Commerce Commission or toward granting in any way relief to the merchants of the country by giving to the Interstate Commerce Commission authority to prohibit the gross discriminations and abuses now practiced by the railroad companies in the matter of freight rates.

The railroad companies have been making use of the merchants of the country as tools to urge the passage of this anti-scalping bill. The merchants are suffering from gross and unjust freight discriminations. Every merchant who deals in heavy articles feels the danger which may come to his business by reason of discrimination in freight rates made to some rival merchant or some rival city.

Permit me to call your attention, as an indication of the point I am trying to make, to a letter from Mr. S. D. Kimbark, one of the largest wholesale dealers in Chicago. Referring to the anti-scalping bill, Mr. Kimbark wrote to me as follows:

The railroads are desirous of having the bill passed, and have appealed to the business houses and manufacturers to aid them in the passage of the bill. As compensation for aid in this direction, the railroads promised the Chicago jobbers to correct discriminations against Chicago in favor of other points.

As an example of the letters that have come to me from the wholesale dealers and jobbers of Chicago, I ask to have inserted in the RECORD in full the letter from Mr. Kimbark.

CHICAGO, January 13, 1898.

DEAR SIR: There is now before Congress what is known as the anti-scalping bill, introduced by Senator CULLOM. This bill is intended to stop the fraudulent sale of tickets. The railroads are desirous of having the bill passed, and have appealed to the business houses and manufacturers to aid them in the passage of the bill.

In compensation for aid in this direction, the railroads promise the Chicago jobbers to correct discriminations against Chicago in favor of other points. We therefore ask that you use your personal influence to urge upon Congress prompt legislation in conformity with the repeated recommendations of the Interstate Commerce Commission.

For five or six years this commission has repeatedly recommended to Congress such amendments to the act to regulate commerce as would place in their hands the power to relieve the abuses in railroad practice which it was supposed the law originally conferred upon them.

Discriminations against Chicago and vicinity have increased during this period to such an extent that other cities in the West and Southwest have advantages over Chicago jobbers. This is especially prominent in St. Louis. Merchants in that city get lower rates of freight to Mississippi River points and all the States west of the Mississippi River.

On through shipments to the West passing through Chicago the Chicago railroads make a lower rate than they give to the Chicago jobbers. This works a disadvantage to Chicago and diverts an enormous amount of business to St. Louis and other cities.

Any service you can render Chicago in this matter will be appreciated.

Yours, very truly,

S. D. KIMBARK.

HON. JAMES R. MANN,
Member of Congress, Washington, D. C.

And also a letter from Lord, Owen & Co., wholesale druggists:

CHICAGO, December 1, 1897.

DEAR SIR: As a matter of prime importance to the business interests of the country we desire to call attention to the repeated recommendations of the Interstate Commerce Commission. We believe that prompt legislation in conformity with their recommendations, and also the passage of the "anti-scalping" bill, is of the utmost importance to commercial and industrial interests alike. An equitable basis for trade, with a certain degree of stability, is a prerequisite for progressive development; otherwise there is no incentive to enterprise. All work of development looking to the future for returns is discouraged when arbitrary changes may at any moment nullify the outlay and work of years.

As you are undoubtedly well aware, this city and State have suffered severely from unjust discriminations. We would, therefore, urge you to use your influence in furthering the measures referred to. Your efforts in their behalf will have the assured approval and support of the business interests.

Very truly, yours,

LORD, OWEN & CO.

HON. JAMES R. MANN,
97-175 Dearborn street, Chicago.

Also extract from letter of A. C. Bartlett to me, dated December 2, 1897, relative to the discrimination against Chicago in connection with our correspondence relating to the passage of this bill, and other amendments to the interstate-commerce law, to wit:

The discriminations against locality of which you wish instances, are so numerous that we would weary you by any attempt at a full list. We will, however, cite a few cases, which will illustrate the whole:

1. The rates by rail and lake from the Eastern manufacturing region to Montana via Duluth are less than the rates to the same points via Chicago, by figures about equal to the cost of rail transportation from New York to Chicago. The effect of this is that merchants of Duluth, Superior, St. Paul, and Minneapolis can secure a profit out of the freight rate in shipping manufactured goods to Montana, Washington, and Idaho, in competition with the merchants of Chicago, Milwaukee, St. Louis, Kansas City, and Omaha. There is no such protection to the latter in reaching the trade of Colorado, Utah, etc.

2. The passenger fare by fast trains from New York to the Missouri River is \$4 cheaper via St. Louis than via Chicago, thus sending the divertible travel, with stop-over, via the former route.

3. The rate on heavy goods in carloads from St. Louis to St. Paul, Minneapolis, and points beyond, is one-half cent more than from Chicago or Milwaukee. From the latter cities to the Missouri River the difference is 5 cents per hundredweight, the relative differences in distance being practically alike.

4. The classification and "commodity" rates applying on shipments to Rocky Mountain territory from Pacific coast points, as compared with similar regulations covering shipments from the Mississippi Valley, are of a protective nature similar to the foregoing instances. One example will suffice: A small dealer at Flagstaff, Ariz., for example, can purchase mixed cars of certain heavy goods and ship at the carload rate from the coast distributing centers, while he can not do this from Chicago or St. Louis, the discriminations being more apparent, because the actual rate to such territory is usually made up of the rate to the coast, plus the charge for the local haul back.

5. The rates from Eastern manufacturing points to the Southeastern States have been deliberately arranged so much lower than the rates from the West that they are prohibitory so far as we are concerned. The rates on grain and provisions, on the contrary, are so low from here that the movement is large. This is a physical pool for division of traffic among the lines south of the Ohio and east of the Mississippi rivers.

6. A more favorable classification and a lower scale of rates per mile apply from Detroit, Saginaw, etc., to Wisconsin points than from Chicago. In some cases the actual rates are less. This tends to divert the hardware business of that region across the lake.

7. During last summer iron articles were shipped from Pittsburg to Denver via New York upon a published rate of 65 cents, and canned goods from the Maine canneries at a rate of 50 cents, the tariff from Chicago at the same time being 77 cents. The class rates from New York to Colorado were on the basis of \$1.91 first class, while first class from Chicago was \$2.05. The lines running west of Chicago are now engaged in a very costly fight to correct this, but seem to be making no progress. In order to meet the eastern competition they have been obliged to make rates, Chicago to Denver, the same as apply from Chicago to the Missouri River.

We could continue these instances longer than you would care to read, but suppose that what you desire is an understanding of their nature, and not simply a list of them. Some of the best posted railroad officials of this city will tell you that there is no place in the United States which is so seriously discriminated against as Chicago.

Yours, very truly,

A. C. BARTLETT.

One of the Chicago jobbers who wrote to me urging the passage of this bill and other amendments proposed by the Commerce Commission was Mr. Pitkin, of Pitkin & Brooks, in Chicago. In response to a letter from me to him, Mr. Pitkin afterwards wrote:

We think the railroad companies, if they ask favors from the Government, ought to be willing to concede them, and, therefore, that they should concede the right of the National Government, through the Interstate Commerce Commission or otherwise, to control and fix both freight and passenger rates.

And yet, Mr. Speaker, the bill now pending simply gives a little more power to the railroad companies, but gives no power in any way to the Government for the regulation of railroad rates.

This bill is not the bill which the merchants of the country have been asking for. They have been urging the passage of amendments to the interstate-commerce act which would increase the authority of the national commission and put it in the power of some national authority to prevent discriminations as to rates, individuals, or localities. This bill will only increase the power to discriminate.

THE RECENT DECISION OF NEW YORK COURT.

Mr. Speaker, most of the different States in which scalpers carry on their business have yielded to the pressure exerted by the railroad companies and enacted State laws against ticket scalping. How far these laws are enforced is a matter which depends largely upon the activity of the railroad companies and upon their ability to produce the necessary evidence. Among the States which enacted such a law is the State of New York. Last winter we all received copies of a little pamphlet issued by the anti-scalping bureau of information, entitled "The appellate division of the supreme court of the State of New York unanimously declares the anti-scalping law of the State of New York constitutional."

This pamphlet contained the opinion of the appellate division of the supreme court of New York in the case of *The People ex rel Tyroler vs. The Warden, etc.*, delivered in February last.

But that opinion itself defeats the claims now made here by the advocates of this bill, because the supreme court of New York in that opinion distinctly holds that the scalping of tickets is purely a police regulation, and is not the subject of interstate commerce. The court in that case said:

But it is objected that the legislation now under consideration is void because it invades the exclusive power of the Congress of the United States to control interstate commerce. Undoubtedly the transportation of passengers is a branch of commerce, and undoubtedly a contract to transport a passenger from New York to Norfolk, in the State of Virginia, relates, in a sense, to interstate commerce. The real question involved in this branch of the case is whether the legislation of the State of New York has so have been considering constitutes a "regulation" of interstate commerce in the sense in which that word is used in the Constitution of the United States.

In the first place, it is to be observed that it does not in any way affect the fact of transportation; it does not in any way hinder or obstruct or trammel a passenger seeking to make a contract for transportation with any carrier. It is merely, in the relation now under consideration, a statute designating and defining, as a police regulation operating within the State of New York, the persons with whom and the places at which arrangements for transportation shall be made, prohibiting, under penalties, the selling of tickets by any other persons or in any other places, and confining those incidents of business to the carriers themselves and the persons they authorize to issue evidences of the contract for them.

Why is this done? For the security and protection of persons seeking transportation by common carriers within the State, and that such persons may not be imposed upon. That can not be called a general regulation of commerce. It may affect a person before the relation of passenger and carrier is constituted, but it falls within the general power of the State to regulate and control, for the general welfare, the conduct of legitimate business within its own boundaries.

It seems to be indisputable that the general object of the statute is to enforce a mere police regulation, and that it is purely a local State matter; that its object is to prevent fraud upon passengers going anywhere within or without the State. That does not amount to a regulation of interstate commerce. As was said in the case of *the State vs. Corbett*, "It is a mere police regulation as to the sale and transfer of tickets designed to protect the public from frauds, and its interference, if any, with interstate commerce is purely incidental and accidental. The grant of power to the Congress to regulate interstate commerce was not designed to and does not at all interfere with the police power of the States to promote domestic order and to prevent crime and protect the lives and property of its citizens. Although such regulations may indirectly operate upon and affect interstate commerce, such regulations are valid in spite of their operation on commerce, and the right to pass them does not originate from any power of the State to regulate commerce. The books are so full of cases to this effect that the citation of authorities in support of the proposition is unnecessary."

In our judgment, the purpose and scope of the sections of the Penal Code above referred to are to control within the police power of the State for the protection of persons seeking transportation the agencies within the State through which and with which contracts for transportation may be made, and that the law is free from the constitutional objections taken to it.

Mr. Speaker, the decision of the New York court from which I quote, and which was so kindly distributed among the members of Congress by the anti-scalping bureau, therefore distinctly rules that the regulation of the sale of tickets, as proposed in the bill before this House, is not a matter affecting interstate commerce, but is purely a matter of local police regulation by the State. That portion of the opinion of the supreme court of the State of New York has not been overruled.

But, Mr. Speaker, so much of the opinion of the supreme court in the above case as held that the State itself had a right to prohibit the owner of a railroad ticket from selling it to whom he pleased, and for what price he pleased, on the ground that the ticket is not an article of property, but is only a contract, has recently been overruled by the court of appeals of New York State, the highest court in that State, and probably the court which, next to the Federal Supreme Court, is entitled to and receives the greatest authority in the courts of our land.

The gentleman from Iowa [Mr. HEPBURN] said, in the able

argument made by him in favor of the bill, that it is a misconception to suppose that a railway ticket is a commodity and something to be sold in the market, and that, on the contrary, a railway ticket is a mere evidence of a contract. Of course that is the theory of the present bill.

It is the claim set up by the railway companies. It was the basis of the decision of the supreme court of New York above referred to. But the court of appeals of the State of New York in reversing the decision of the supreme court has seen fit to differ from the distinguished gentleman from Iowa [Mr. HEPBURN], and has decided that a railway ticket is property; that it is not a mere contract or receipt; that the courts will sustain the right of an individual to dispose of his property, and that neither the legislature of New York nor any other legislative body has the authority to say to an individual who owns this kind of property, "You can not sell your property."

In the case of *The People of the State of New York ex rel. George Tyroler, appellant, vs. The Warden of the City Prison*, decided by the court of appeals of New York State on November 22, only a few days ago, the facts are that the relator Tyroler is a citizen of the State of New York and the United States, and immediately prior to his arrest, and for several years before, had been engaged in the city of New York in the business of buying and selling railroad tickets. He was charged with having received the sum of \$6.30 as consideration for a ticket from New York to Norfolk, Va., he not being at the time the authorized agent of the transportation companies. He was what is commonly called a ticket scalper, and as such sold the ticket. He was arrested for this sale, and sued out a writ of habeas corpus, and demanded his discharge on the ground that the anti-scalping law of New York violated certain provisions of the New York constitution and of the Federal Constitution.

In a most learned and exhaustive opinion, the court of appeals held that the New York anti-scalping law was an unwarranted interference with trade and personal liberty; that so long as the selling of railroad tickets was considered as a lawful and legitimate business which might be carried on by the agents of the transportation companies, it was also a legitimate business which might be carried on by other persons, and that the legislature could not grant a monopoly of such trade or business to certain people only.

The court also held that the statute could not be sustained as a valid source of the police power, and that the courts will protect the rights of individuals from invasion under the guise of police regulations when it is manifest that such is not the object and purpose of the regulation. And the court held that the anti-scalping law was invalid, both because under the constitution of New York and the United States the legislature had no authority to enact it.

Mr. Speaker, I do not know what the Supreme Court of the United States might hold upon this point. It may be that they would not agree with the court of appeals of New York. It is not a question free from doubt. But this House ought to be very careful about enacting legislation of doubtful constitutionality which interferes with the liberties and business of the individual citizen and which tends to promote a monopoly of the right to sell tickets and combinations and the pooling of the railway passenger business.

Some mercantile associations in the various large cities favor the passage of this bill because they have been told by the railway companies that if ticket scalping can be abolished those companies will sell more frequently excursion and special-rate tickets to the big cities, which, if true, may be a great benefit to the merchants of the large cities, but be a very disastrous change for the merchants in the smaller towns. These promises of the railway companies are, however, merely "ante-election promises," which will receive very little recognition after this bill shall become a law.

INTERSTATE-COMMERCE ACT SHOULD BE REVISED.

Mr. Speaker, I should be glad to see the interstate-commerce act thoroughly revised and amended. I should not object to a proper provision in such revised act concerning the matter of ticket brokerage. I am not here for the special purpose of defending ticket scalping or of denouncing railway corporations. A few years ago the so-called interstate-commerce law was enacted. It was believed to confer certain powers of railroad legislation upon the Interstate Commerce Commission. The merchants, the business men, the jobbers, the men who have large business, and the men who have small business, nearly all hailed it as a deliverance from the doubt and discrimination of uncertain and special railroad rates.

But the Supreme Court of the United States has gone through that law from time to time and cut out all of its vital parts. Nothing remains but the skin and bones, and I think some of the bones may be missing.

The mercantile associations—nearly all of the business men—of the country have been for several years now applying to Congress to grant them relief, by so amending the law that the national

commission may be given authority to prevent grossly unfair charges and grossly unjust discriminations.

Permit me to briefly call your attention to some of the evils and defects of the present act as it has been construed by the Supreme Court.

DISCRIMINATION IN FAVOR OF IMPORTED GOODS.

For instance, under the present interstate-commerce act the Supreme Court of the United States has decided that a railroad carrier situated wholly within this country may lawfully charge a higher rate for transporting freight which originates within this country than it does for freight originating beyond the seas. This decision, recently made, has so resulted that in many cases the freight rate from European points to Chicago is less on the same class of goods than from New York to Chicago, although transported over the same lines, under precisely the same circumstances, in both cases, from New York to Chicago. This is not only a violation of the first principles of business, but is in direct conflict with the principles of the Republican party as to the protection of home industries.

The Interstate Commerce Commission states that under this ruling tin plate is carried from Swansea, Wales, to Liverpool, England, thence taken by steamer across the Atlantic, and hauled by rail from one of our ports through Pittsburg, Pa., to Chicago, Ill., at a total through charge from Swansea to Chicago which is less in total amount than the freight rate on the same commodity from Pittsburg to Chicago. The Interstate Commerce Commission in its last annual report again appealed to Congress for appropriate legislation to remedy this evil.

The case referred to is *Texas and Pacific Railway Company vs. Interstate Commerce Commission*, 162 United States Reports, 197. It seems that on March 23, 1889, the Interstate Commerce Commission made a certain order wherein, among other things, it was provided as follows:

Imported traffic transported to any place in the United States from a port of entry or place of reception, whether in this country or in an adjacent foreign country, is required to be taken on the inland tariff governing other freights.

Complaint was filed by the New York Board of Trade and Transportation, the Commercial Exchange of Philadelphia, and the San Francisco Chamber of Commerce that certain railroad companies were disregarding this order, and it was stated that certain railroad companies were in the habit of charging the regular tariff rates upon property when billed to them at New York and Philadelphia for transportation to Chicago and other Western points, while at the same time charging other persons rates which were 50 per cent lower for a like and contemporaneous service under substantially similar circumstances and conditions, when the property was billed to them at New York or Philadelphia by vessel or steamship lines under through bills of lading from foreign ports or foreign interior points.

The result of the hearing before the Interstate Commerce Commission was, among other things, that the commission held that the Texas and Pacific Railway Company was not justified in accepting as its share of a through rate on imported traffic a less charge or sum than it charged and received for inland traffic between the port of reception and the point of delivery. And an order was entered on January 29, 1891, commanding that said companies desist from distinguishing in its charges between foreign and inland traffic. The railroad company declined to observe the order and the commission filed a bill against the company in the circuit court of the United States. The circuit court held the order lawful and proper, and ordered the railroad company to obey the same. The circuit court of appeals on June 3, 1893, confirmed the decree of the circuit court.

But the Supreme Court of the United States, by an opinion rendered March 30, 1896, reversed the lower courts and decided the case in behalf of the railroad company. The record in that case shows that the rate per 100 pounds for the transportation on through bills of lading of books, buttons, carpets, clothing, and hosiery from Liverpool and London via New Orleans, over the Texas and Pacific Railway and connecting railroads of the Southern Pacific system to San Francisco, was \$1.07, while upon the same kind of articles (carried maybe on the same train) the rate charged from New Orleans over the same railroads to San Francisco was \$2.88. That the rate per 100 pounds charged for the transportation on through bills of lading of boots and shoes, confectionery, cutlery, gloves, hats and caps, laces, linen, linen goods, saddlers' goods, and woollen goods, over the same railway systems to San Francisco, was \$1.07, while upon like goods, starting from New Orleans and destined for San Francisco over the same line (it might be on the same train) the rate charged was \$3.70.

Discrimination in the matter of rates was also made by the railroad company in favor of other goods manufactured abroad and shipped on through bills of lading from Liverpool and London via New Orleans to San Francisco, and against goods of like kind carried from New Orleans to San Francisco over precisely the

same railway system and in precisely the same manner, perhaps in the same car.

It is not my province to discuss the reasons or the reasoning which induced the Supreme Court of the United States to hold that under the law as it now stands the railroad company was permitted to make such a discrimination against American interests and in favor of foreign shipments and to hold that the Interstate Commerce Commission had no authority conferred upon it to prevent discriminations so made against American manufactures and shipments and in favor of foreign manufactures and shipments.

The ruling of the Supreme Court of the United States was made notwithstanding the second section of the act to regulate commerce expressly and in terms forbids any common carrier subject to the provisions of the act from charging, demanding, collecting, or receiving from any person or persons a greater or less compensation for any service rendered or to be rendered in the transportation of passengers or property than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, and declares that disregard of such prohibition shall be deemed unjust discrimination and unlawful.

The decision of the Supreme Court was based upon the proposition that foreign goods, imported into the country upon a through bill of lading, and goods shipped from a point within this country, though passing over the same line of railroad and perhaps upon the same train and in the same car, were not necessarily being transported under substantially similar circumstances and conditions, thus giving a new and novel construction to the phrase, "under substantially similar circumstances and conditions."

It is not the province of the legislature to criticize the decisions of the courts, and whatever the law may have appeared to be before this decision of the Supreme Court of the United States, that decision determines what the law, as to this matter, now is.

It is our province to enact new legislation to meet any difficulty arising through the construction placed by the court upon the law as it now reads.

The decision in the above case was not made by a unanimous court. Chief Justice Fuller and Justices Harlan and Brown dissented from the opinion. Mr. Justice Harlan, in discussing the case in his dissenting opinion, among other things, said:

Does anyone suppose that if the interstate-commerce bill, as originally presented, had declared in express terms that an American railroad company might charge more for the transportation of American freight between two given places in this country than it charged for foreign freight between the same points that a single legislator would have sanctioned it by his vote? Does anyone suppose that an American President would have approved such legislation?

Suppose the interstate-commerce bill as originally reported, or when put upon its passage, had contained this clause: "Provided, however, The carrier may charge less for transporting from an American port to any place in the United States freight received by it from Europe on a through bill of lading than it charges for American freight carried from that port to the same place for which the foreign freight is destined."

No one would expect such a bill to pass an American Congress. If not, should we declare that Congress ever intended to produce such a result, especially when the act it has passed does not absolutely require it to be so interpreted?

Let us suppose the case of two lots of freight being at New Orleans, both destined for San Francisco over the Texas and Pacific Railway and its connecting lines. One lot consists of goods manufactured in this country, the other of goods of like kind manufactured in Europe and which came from Europe on a through bill of lading. Let us suppose, also, the case of two passengers being at New Orleans—the act of Congress applies equally to passengers and freight—both destined for San Francisco over the same railroad and its connecting lines. One is an American, the other a foreigner who came from Europe upon an ocean steamer belonging to a foreign company that had an arrangement with the Texas and Pacific Railway Company by which a passenger with a through ticket from Liverpool would be charged less for transportation from New Orleans to San Francisco than it charged an American going from New Orleans to San Francisco.

The contention of the railroad company is that it may carry European freight and passengers between two given points in this country at lower rates than it exacts for carrying American freight and passengers between the same points and yet not violate the statute, which declares it to be unjust discrimination for any carrier, directly or indirectly, by any device, to charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions.

DISCRIMINATION IN SOUTHEASTERN FREIGHT RATES.

Mr. Speaker, permit me to call attention to the condition of affairs relating to freight rates in the southeastern portion of our country and the decision of the Supreme Court that the Interstate Commerce Commission has no authority under the present law to decide upon rates or to correct gross discriminations. I call your attention to a letter from a wholesale firm in Chicago, as follows:

CHICAGO, November 22, 1897.

DEAR SIR: We are one of the largest manufacturers of wooden ware (i. e., pails and tubs) in the Northwest, and are able to sell our goods in New York City, Baltimore, Louisville, Cincinnati, St. Louis, and in the entire country north of the Ohio River and west of the Mississippi to the Pacific coast; but when it comes to the section known as the Southeast, i. e., North and South Carolina, western Tennessee, Alabama, Georgia, and Florida, we are barred out and can not sell in competition with New England manufacturers. The

discrimination is entirely caused by the railroads, who make such freight rates that we are barred out. A few years ago the Chicago Freight Bureau, in connection with the Cincinnati Freight Bureau, began a suit before the Interstate Commerce Commission.

The writer was one of the witnesses, and presented these facts and corroborated his statements by freight bills and bills of lading. The bureau showed that there had been a definite agreement made between the railroads of the South that what is known as high-class freight, under which heading our goods come, the rates should be so high from Western points that that business should go to the East. Having the direct evidence, the railroad companies could not deny this agreement, but acknowledged that there had been such an agreement, but stated that that agreement was an old one and was not in existence at the present time. However, we showed that if the agreement was not in existence the rates showed that the railroads were living up to the letter and spirit of that agreement.

The Interstate Commerce Commission finally decided that the rates were too high and should be reduced, naming what they considered fair rates. These rates would have been satisfactory to us, but the railroad companies have simply ignored the decision of the Interstate Commerce Commission, and this commission is unable to do anything to help us in the matter, for, according to the decisions of the courts, they have not the power, under the law as it now exists, to enforce their decision. For this reason we believe that it is an imposition on the country to leave the Interstate Commerce Commission act in its present shape. It is nothing but a farce as it now exists, and is used by the railroads when it suits their convenience and when it does not they simply ignore it.

It is certainly a great hardship for the manufacturers here in the Northwest to be debarred out of seeking trade in a section of this country by such high-handed action as the railroads have taken in this matter. We would therefore appeal to you to strengthen the authority of the Interstate Commerce Commission so that they can give relief to such flagrant violations of power as is exercised by some of the railroads. Certainly the manufacturers in the Northwest should have an equal chance with the manufacturers in New England in competing for trade of this country.

Hoping you will do what you can to give us relief, we are,

Yours, truly,

MANN BROTHERS,
By H. N. MANN.

HON. JAMES R. MANN, Chicago, Ill.

Related to this very complaint is the decision of the Supreme Court that the law affords no remedy for the abuses complained of.

In the case of the Interstate Commerce Commission *vs.* The Cincinnati, New Orleans and Texas Pacific Railway Company (167 United States Reports, 479) it was held that the Interstate Commerce Commission could not, in passing upon the question of the reasonableness or justness of a freight rate already made by a railroad company, determine the maximum rate which should be thereafter charged.

In that case the freight bureau of the Cincinnati Chamber of Commerce and the Chicago freight bureau filed a complaint before the Interstate Commerce Commission alleging that the freight rates from Chicago or Cincinnati to Knoxville, Tenn., and other Southern points were unreasonable and unjust and in violation of the provisions of the "act to regulate commerce." For instance, it appeared that the railroad distance from New York to Knoxville is 763 miles, and the freight rate was \$1 per hundred pounds first class. From Chicago to Knoxville the railroad distance is 560 miles and the rate is \$1.16. From Cincinnati to Knoxville, 290 miles, and the rate 76 cents. If the rate from Chicago to Knoxville should be based upon the rate from New York in proportion to the distance, the Chicago rate would be 73.8 cents instead of \$1.16.

The Interstate Commerce Commission, after a hearing, found the rates from Chicago and Cincinnati to be unreasonable and unjust, and ordered a reduction of the rate from Cincinnati to Knoxville, so that it should be 53 cents instead of 76 cents, and ordered a reduction of the rate from Chicago, so that it should be 93 cents instead of \$1.16, but still leaving both the rates from Cincinnati and Chicago higher than if based upon the New York rate in proportion to the distance.

The railroad companies refused to accept the rates so fixed by the Interstate Commerce Commission, and a suit was brought by the latter in the circuit court of the United States to compel obedience to such rates.

Section 1 of the act to regulate commerce provides that:

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage, or handling of such property, shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

Section 3 of that act provides:

That it shall be unlawful for any common carrier, subject to the provisions of this act, to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or any particular description of traffic in any respect whatever, or to subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatever.

Section 9 provides:

That any person or persons claiming to be damaged by any common carrier, subject to the provisions of this act, may either make complaint to the commission, as hereinafter provided for, or may bring suit in his or their behalf for the recovery of the damages for which such common carrier may be liable under the provisions of this act in any district or circuit court of the United States of competent jurisdiction; but such person or persons shall not have the right to pursue both of said remedies, and must in each case elect which one of the two methods of procedure herein provided for he or they will adopt.

Section 12 provides:

That the commission is hereby authorized and required to execute and enforce the provisions of this act; and upon the request of the commission, it shall be the duty of any district attorney of the United States to whom the commission may apply to institute in the proper court, and to prosecute under the direction of the Attorney-General of the United States, all necessary proceedings for the enforcement of the provisions of this act and for the punishment of all violations thereof.

Section 13 of the act provides:

That any person, firm, association, mercantile, agricultural, or manufacturing society, etc., complaining of anything done or omitted to be done by any common carrier, subject to the provisions of the act, may apply to the Interstate Commerce Commission by petition, whereupon the common carrier shall be called upon to satisfy the complaint or to answer the same in writing. And if such carrier does not satisfy the complaint, then the commission shall investigate the matters complained of.

Section 14 provides:

That when such investigation shall be made by the commission it shall be its duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the commission are based, together with its recommendation as to what reparation, if any, should be made by the common carrier to any party or parties who may be found to have been injured.

Section 15 provides:

That if, in any case in which an investigation shall be made by the commission, it shall be made to appear that anything has been done or omitted to be done by the carrier in violation of the provisions of the act, or any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved, in consequence of such violation, it shall be the duty of the commission forthwith to cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to such carrier to cease and desist from such violation or to make reparation for the injury so found to have been done, or both.

Section 16 provides:

That if the carriers shall refuse or neglect to obey any lawful order or requirement of the commission, not founded upon a controversy, requiring a trial by jury, the commission, or any company or person interested, may apply in a summary way by petition to the United States circuit court to enforce compliance, and the court shall have power to order and determine the matter speedily as a court of equity and without formal pleadings, but in such manner as to do justice in the premises.

And yet, Mr. Speaker, the Supreme Court of the United States held, however, notwithstanding all these provisions, that the Interstate Commerce Commission could not, upon complaint made, or in any other way, or at any other time, or under any circumstances whatever, determine what should be maximum rates or minimum rates, and that the commission has no power to prescribe any tariff of rates which shall control in the future.

The interstate-commerce act purports to give the Interstate Commerce Commission authority to decide that railroad freight rates are unreasonable and to enforce that decision by the aid of the courts. But the Supreme Court has held that the extent of this authority is to permit the commission to decide that the particular specified freight rate is unreasonable, without deciding at all what would be a reasonable rate.

For example, suppose the published freight rate between two points is \$1 on first-class freight, whereas a reasonable rate would be 75 cents. On complaint made to the Interstate Commerce Commission, and after an investigation and hearing, that commission may now decide that the \$1 rate is unreasonable, and may in the course of several years obtain a decision from the Federal courts upholding the decision of the commission, if the court decides in favor of the commission at all. The railroad company may then make a tariff rate of 99½ cents, and the same operation may be gone through again, taking several years, when, if the court decide the rate to be unreasonable, the railroad company may put in operation the rate of 99 cents.

The simplest minded child can readily understand that this authority, as thus construed, amounts to but little, and every live-stock shipper has already discovered that since the decision of the Supreme Court of the United States it amounts to nothing. The business interests of the country, as well as the Interstate Commerce Commission, urgently request legislation to correct this evil.

In that case the Supreme Court said (*Interstate Commerce Commission vs. Railway Company*, 167 United States Reports, 506), after denying the authority of the Interstate Commerce Commission to fix in any way whatever maximum or minimum freight rates upon complaint made:

But has the commission no functions to perform in respect to the matter of rates; no power to make any inquiry in respect thereto? Unquestionably it has, and most important duties in respect to this matter. It is charged with the general duty of inquiring as to the management of the business of railroad companies, and to keep itself informed as to the manner in which the same is conducted, and has the right to compel complete and full information as to the manner in which such carriers are transacting their business.

And with this knowledge, it is charged with the duty of seeing that there is no violation of the long and short haul clause; that there is no discrimination between individual shippers, and that nothing is done by rebate or any other device to give preference to one as against another; that no undue preferences are given to one place or places or individual or class of individuals, but that in all things that equality of rates, which is the great purpose of the interstate-commerce act, shall be secured to all shippers.

The justice who wrote these words must have smiled with a satanic smile of gentle sweetness when he dipped his pen in the

ink to say that it was the duty of the Interstate Commerce Commission to carry out those provisions of the act which the Supreme Court was then deciding the commission had no jurisdiction over. Every important duty set down in this quotation as devolving upon the Interstate Commerce Commission has been absolutely swept aside by the decisions of the Supreme Court which made these observations.

There is no valid object in having an expensive Interstate Commerce Commission for the mere purpose of collecting information about railroads, a work which could be done as well at least by the Bureau of Statistics.

Not only has the Supreme Court authorized the railroads to discriminate among shippers by means of actual or pretended imports; not only has that court authorized the railroads to charge grossly unfair and unreasonable rates whenever they so chose, without any correcting power left in the hands of the Interstate Commerce Commission, but the Supreme Court has also wiped out of the law the so-called long and short haul provision of the statute.

LONG AND SHORT HAUL PROVISION KILLED.

In the case of *The Interstate Commerce Commission vs. The Alabama Midland Railway Company* (168 United States Reports, 146), decided November 8, 1897, it appears that the Board of Trade of the town of Troy, Ala., made complaint before the Interstate Commerce Commission against the Alabama Midland Railway Company and the Georgia Central Railway Company and their connections, alleging unjust discrimination against the town of Troy in the matter of freight rates. It appears that the Alabama Midland Railway Company and its connections charged and collected a higher rate of freight from New York and the East to Troy, Ala., than to Montgomery, Ala., although shipments for Montgomery were sent through Troy, and Montgomery was the longer distance point by 52 miles.

Also, that the Alabama Midland Railway and the Georgia Central Railroad and their connections charged \$3.22 per ton to Troy on phosphate rock shipped from South Carolina and Florida fields, and only \$3 per ton on such shipments to Montgomery, which was the longer distance point by both of said roads, although all the phosphate rock carried from said fields to Montgomery over the Alabama Midland had to be hauled through Troy. Also, that the rates on cotton, as shipped by the said two roads and their connections, on shipments to the Atlantic seaports, Brunswick, Savannah, and Charleston, unjustly discriminated against Troy and in favor of Montgomery in that the rate per 100 pounds from Troy was 47 cents and that from Montgomery, the longer distance point, was only 40 cents, although such shipments from Montgomery over the Alabama Midland had to pass through Troy.

The Interstate Commerce Commission entered an order requiring the railroad companies to charge no higher rate of freight to or from Troy in the cases above mentioned than was charged from Montgomery on the same class of freights. A bill of complaint was afterwards filed in the United States court to enforce obedience to this order. The Supreme Court held, as it had previously decided, that the Interstate Commerce Commission has no authority to prescribe rates or to fix either maximum or minimum rates.

As to the claim made by the Interstate Commerce Commission that the railroad companies were violating section 4 of the act to regulate commerce, which makes it unlawful for any common carrier to charge or receive any greater compensation for the transportation of like kinds of property in substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the Supreme Court decided that this provision of the statute did not apply where the circumstances and conditions were not substantially similar. And they held that in the case at bar there was an actual dissimilarity of circumstances and conditions between Troy and Montgomery, in that Montgomery had a much larger volume of trade and a greater competition between more transportation companies.

Under this decision the so-called short and long haul clause of the act to regulate commerce can practically have no effect as to any shipping point which has two railroads or one railroad and a scow. Mr. Justice Harlan, in the above case, filed a dissenting opinion, which, in terse and clear language, shows how the Supreme Court has disemboweled the effort to reasonably regulate railroads and freight rates through the act to regulate commerce.

Mr. Justice Harlan said:

I dissent from the opinion and judgment in this case. Taken in connection with other decisions defining the powers of the Interstate Commerce Commission, the present decision, it seems to me, goes far to make that commission a useless body for all practical purposes, and to defeat many of the important objects designed to be accomplished by the various enactments of Congress relating to interstate commerce.

The commission was established to protect the public against the improper practices of transportation companies engaged in commerce among the several States. It has been left, it is true, with power to make reports and to issue protests. But it has been shorn, by judicial interpretation, of authority to do anything of an effective character. It is denied many of the powers which, in my judgment, were intended to be conferred upon it. Besides, the acts of Congress are now so construed as to place communities on the lines

of interstate commerce at the mercy of competing railroad companies engaged in such commerce. The judgment in this case, if I do not misapprehend its scope and effect, proceeds upon the ground that railroad companies, when competitors for interstate business at certain points, may, in order to secure traffic for and at those points, establish rates that will enable them to accomplish that result, although such rates may discriminate against intermediate points. Under such an interpretation of the statutes in question they may well be regarded as recognizing the authority of competing railroad companies engaged in interstate commerce, when their interests will be subserved thereby, to build up favored centers of population at the expense of the business of the country at large. I can not believe that Congress intended any such result, nor do I think that its enactments, properly interpreted, would lead to such a result.

Mr. Speaker, according to the decision of the Supreme Court in the Alabama Midland Railway case a mere difference in the volume of trade or in the amount of transportation and competition between two towns constitutes dissimilar circumstances and conditions—that is to say, that Gilman, Ill., which has two railroads, has different circumstances and conditions from Danforth, 4 miles away, which only has one railroad, and the transportation of passengers or a like kind of property to Gilman and Danforth upon the same train and in the same car would not be under substantially similar circumstances and conditions, and the railroad is not prohibited from charging a greater freight rate to Danforth, if that is the closer point, than to Gilman, the longer distance. Or if two towns are situated within close proximity to each other, each upon the same line of road and with no other means of transportation, then, if one has a larger volume of business than the other, the circumstances and conditions are not substantially similar, and the long and short haul clause of the statute does not apply.

In the Alabama Midland case the court made its decision expressly upon this statement, to wit:

It seems undeniable, as the effect of the evidence on both sides, that an actual dissimilarity of circumstances and conditions exists between the cities concerned, both as respects the volume of their respective trade and the competition affecting rates occasioned by rival routes by land and water.

And the court further said that—

When once a substantially dissimilarity of circumstances and conditions has been made to appear, the carriers are, from the nature of the question, better fitted to adjust their rates to suit such dissimilarity of circumstances and conditions than courts or commissions.

And the opinion of the court absolutely gives to railroad companies the authority to discriminate and to give undue preference or advantage to persons or traffic where the competition is different as between different points. No wonder Justice Harlan said that that decision went far to make the Interstate Commerce Commission a useless body for all practical purposes.

One of the strongest reasons for enacting the interstate-commerce law was to prevent the discrimination of making a lower freight rate for a long distance on a line of railroad than was made for a shorter distance on the same line over a portion of the same route. But as construed by the Supreme Court, the present law in regard to this matter is practically nullified, and since the Supreme Court decision the railroads are paying but little attention to any supposed constraint by reason of the law as to long and short hauls.

The Interstate Commerce Commission says that within five days from the reading of this opinion of the Supreme Court the Trans-Missouri Freight Bureau filed schedules raising the rates to intermediate or short-haul points over more than 100,000 square miles. During the latter part of 1907 various classes of freight could be shipped from New York to Denver at a lower freight rate than from Chicago to Denver. The business community and the Interstate Commerce Commission are again appealing for legislation to correct this evil.

FIRST COMMISSION ASSUMED POWER TO FIX MAXIMUM RATES.

The fact that the Interstate Commerce Commission had from its very organization assumed the right, without being questioned, to issue orders fixing maximum freight rates where complaint of unreasonable rates had been made, and also to issue orders upon complaint made about discrimination against a point without competition in favor of one with competition, and had continued to exercise such jurisdiction in many cases, seems to have had no effect whatever upon the Supreme Court of the United States in deciding against their jurisdiction.

The Supreme Court, in its decisions, quotes liberally from the opinion of Commissioner Cooley, who was one of the greatest lawyers of the country, and speaks in high praise of his interpretation of the act to regulate commerce, when his opinion tends in any way to uphold their opinion. But Commissioner Cooley was not only a member of the Interstate Commerce Commission when it repeatedly made orders fixing maximum rates, but he rendered opinions himself and issued orders fixing maximum rates and preventing discrimination in cases where the Supreme Court now holds the commission had no jurisdiction.

The following are some cases decided by the Interstate Commerce Commission upon the question of rates, etc.:

In the case of Boards of Trade, etc., vs. Chicago, Milwaukee and St. Paul Railway Company (1 I. C. C. Reports, 215), it was ordered that while a rate of 7½ cents per hundred from Minneapolis to Chicago is charged on the river division, the rates from the petitioning towns to Chicago over the Iowa and Minnesota division must not exceed 10 cents per hundred.

In the case of Evans vs. Oregon Railway and Navigation Company (1 I. C. C.), opinion by Bragg, Commissioner, it was held that the rate from Walla Walla City to Portland should not exceed

23½ cents per 100 pounds when transported by the different railroads for the remainder of the (then) present grain season extending to the 30th of June, 1888.

In the case of Rice vs. Louisville and Nashville Railway Company (1 I. C. C. Reports, 503), opinion by Cooley, chairman, the defendant was ordered to cease and desist from making any higher charge for the transportation by the hundred pounds of petroleum oil in barrels in carload lots, including the barrels, than it contemporaneously makes for the transportation by the hundred pounds of such oils in tank cars.

In the case of Farrar vs. East Tennessee, Virginia and Georgia Railway Company et al. (1 I. C. C. Reports, 480), opinion by Bragg, the defendant was ordered to cease charging 22 cents per 100 pounds on lumber from Dalton, Ga., to Roanoke and Lynchburg, Va., and in lieu thereof it must not charge exceeding 17 cents per 100 pounds on lumber in carload lots from Dalton to Lynchburg.

In the case of Pyle vs. East Tennessee, Virginia and Georgia Railway Company (1 I. C. C. Reports, 465), opinion by Bragg, the defendant was ordered to discontinue its rate of 73 cents per 100 pounds on shipments of Pearline from New York City to Atlanta, and in lieu thereof must not charge a rate exceeding 60 cents per 100 pounds.

In the case of Reynolds vs. Western New York and Pennsylvania Railroad Company (1 I. C. C. Reports, 393), opinion by Aldace F. Walker, the defendants were ordered to cease and desist from charging a greater price for the transportation of railroad ties from points in the State of Pennsylvania to Salamanca and Olean, in the State of New York, than it charged at the same time for the transportation of lumber between the same points.

In the case of McMorran et al. vs. Chicago and Grand Trunk Railway Company et al. (3 I. C. C. Reports, 252), the defendant, the Grand Trunk Railway Company, was ordered to cease and desist from charging an excess of 8 cents per 100 pounds on grain and grain products from Port Huron, Mich., to Buffalo, while a through rate of 15 cents per 100 pounds is in effect from Chicago to Buffalo.

These are a few of the earlier cases in which the question of rates was determined by the Interstate Commerce Commission, and a maximum rate for future charges was established by the commission.

International Banking Bill.

SPEECH

OF

HON. JAMES A. TAWNEY,
OF MINNESOTA.

IN THE HOUSE OF REPRESENTATIVES,

Thursday, December 15, 1898.

On the bill (H. R. 10807) to carry into effect the recommendations of the International American Conference by the incorporation of the international American bank.

Mr. TAWNEY said:

Mr. SPEAKER: The amendment which I have offered to the bill for the establishment of international banks will, to my mind, remove the most serious objection to its becoming a law.

Having had no opportunity to explain the purpose and the effect of the amendment when the bill was under consideration, I avail myself of the privilege extended by the House to briefly state its purport.

It strikes out that portion of the measure authorizing the international bank to establish eight branch banks. The bill authorizes the creation of any number of international banks. Each, when incorporated under the provisions of this measure, would have authority, in the discretion of the directors, to establish anywhere in the United States eight branch banks. If there should be incorporated under this law five international banks, and they availed themselves of the authority vested in them to establish these branch banks, we would then have at least 45 international banks in the United States for the transaction of our international banking business.

It is unnecessary to say that this number could not carry on an international banking business profitably. In fact, if the international business was confined to one bank, and that bank not allowed to engage in domestic banking, it could not succeed. For this reason these banks are very properly authorized to do a general banking business. To insure success, however, as international banks it is not necessary to authorize their extension in the form of branches all over the United States. To do so, without proper restrictions and limitations, would enable these banks and their branches to become powerful competitors of the State

and national banks in our principal cities for local or domestic business, instead of carrying out the purpose of their creation by becoming valuable instrumentalities in the carrying on of our foreign commerce.

National banks are restricted in many ways, especially in the matter of making loans to their officers, and in the amount of loans and discounts to their customers. They are also required to pay a Federal tax, and are limited in many other ways by Federal statutes in the transaction of their business. International banks incorporated under this proposed act would not be subjected to any of these restrictions or any of these burdens, therefore they could conduct their domestic banking business more profitably than the national banks, and the inducement to incorporate banks under this proposed act, with power to establish eight branch banks, would be so great that it would not be long before the national banking business of the country would be carried on by banks organized under this act rather than under the present law, with its limitations and restrictions and general supervision by the Government.

If these local branches of the international bank were essential to its success, or if the necessities of our foreign trade demanded their establishment, I would have no objection to this part of the bill.

I favor the establishment of an international bank. I believe it is necessary to the growth and development of our foreign commerce, but I am not willing to give corporations, created ostensibly for the purpose of doing an international banking business, an opportunity to monopolize our domestic banking business, and in a way, too, that would afford none of the safeguards for the protection of our people which previous Congresses have deemed necessary for that purpose in the establishment of our national banks.

I have asked several members of the committee that reported this bill to explain the necessity for these branch banks, to show to the House why they were essential to the convenience of our foreign trade or to the success of the international banks. But no member of the committee has been able to give us this information.

Branch banks in South and Central America are absolutely necessary, and the amendment which I have offered does not restrict the power of the directors of these international banks to establish foreign branches. If the amendment striking out the authority for the establishment of local branch international banks should be adopted, and the bill should become a law without this authority, international banks could then be incorporated and foreign branches established, as was originally contemplated by those who first suggested the establishment of the international bank.

Every bank organized under the authority of this proposed law would establish foreign branches. The merchant in Rio purchasing an invoice of goods from the merchant in New Orleans could pay for the goods by buying, at the branch international bank in Rio, exchange on the international bank in the United States. This exchange would be sent in the ordinary course of mail to the merchant in New Orleans, who would deposit the same to his credit with his bank there, which exchange would be collected by the bank in New Orleans from the international bank upon which it was drawn.

On the other hand, if the merchant in New Orleans desired to pay for an invoice of goods from Rio, he would go to his bank and buy a draft on the international bank, say in New York, and forward it to his creditor in Rio, who would present the same at the branch international bank there for payment. It would be to the advantage of the principal banks at all of the importing and exporting cities of the United States to have an account, and they undoubtedly would have an account, with the international bank or banks for the convenience of their customers; so that it is absolutely impossible for anyone to claim that branch banks in the interior of our country, or anywhere else in the United States, are essential to the success of international banks, while the authority for their creation could easily be abused, and when established they can be used to change entirely our present banking system.

The local branch bank, therefore, not being essential to the success of the international bank or to our foreign commerce, it would be unwise, in my judgment, to risk incurring the evils which might result from the legitimate exercise of the authority which this bill creates for their establishment.

To pass this bill with this provision in it, with no limitation or restriction in the matter of loans and discounts, exempting these banks from Federal taxation and Federal control and supervision, would offer a premium to capitalists to organize international banks under a fifty-year charter and carry on a domestic banking business in the principal cities of the Union. The Government would be powerless to compel them to do an international business.

Eliminate these unnecessary, if not dangerous, features by striking out this provision, and then no reasonable objection can be urged against the passage of the measure.

International Banking Bill.

SPEECH

OF

HON. W. T. ZENOR,

OF INDIANA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, December 16, 1898,

On the bill (H. R. 10807) to carry into effect the recommendations of the International American Conference by the incorporation of the international American bank.

Mr. ZENOR said:

Mr. SPEAKER: The bill now before the House is the outgrowth of the proceedings and recommendations of the International American Conference held in the city of Washington some eight or nine years ago. At that time, in pursuance of a general desire felt by the people of our neighbors—the South and Central American Republics—and the people of the United States for the promotion of more intimate commercial intercourse between the different portions of the American continent, a general conference was held in this city to take under consideration the best means to carry into effect and secure the accomplishment of this purpose. In this conference were represented the United States and the Republics of Colombia, Chile, Brazil, and Costa Rica, through distinguished statesmen, authorized representatives of their respective countries. The result of this conference and the deliberations of that body was the adoption of the following resolution:

Resolved, That the conference recommends to the Governments here represented the granting of liberal concessions to facilitate inter-American banking, and especially such as may be necessary for the establishment of an international American bank, with branches or agencies in the several countries represented in this conference.

The Hon. James G. Blaine, the then Secretary of State, who had not only taken a deep interest in this subject, but was really one of the first and most ardent promoters of the conference, subsequently, on May 27, 1890, transmitted a copy of this resolution, together with a full report of the committee on banking appointed by the conference, to the President of the United States. The President, in transmitting the communication of the Secretary of State in relation to the report of the International American Conference, in favor of the establishment of an international American bank, to the Senate and House of Representatives, said:

[Message from the President of the United States transmitting a letter of the Secretary of State relative to the report of the International American Conference in favor of an international American bank.]

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of State, inclosing a report adopted by the International American Conference recently in session at this capital, recommending the establishment of an international American bank, with its principal offices in the city of New York and branches in the commercial centers of the several other American Republics.

The advantages of such an institution to the merchants of the United States engaged in trade with Central and South America and the purposes intended to be accomplished are fully set forth in the letter of the Secretary of State and the accompanying report. It is not proposed to involve the United States in any financial responsibility, but only to give to the proposed bank a corporate franchise and to promote public confidence by requiring that its condition and transactions shall be submitted to a scrutiny similar to that which is now exercised over our domestic banking system.

The subject is submitted for the consideration of Congress in the belief that it will be found possible to promote the end desired by legislation, so guarded as to avoid all just criticism.

BENJ. HARRISON.

EXECUTIVE MANSION, May 27, 1890.

So, Mr. Speaker, I say that the present bill is the outgrowth of this conference, and the professed and admitted purpose of its authors and advocates is to carry into effect the recommendations contained in the resolution just cited. The importance and far-reaching consequences of some of the extraordinary provisions of the bill is an ample apology, if any was needed, for begging the indulgence of this House for a few moments to state some of the reasons which shall influence and determine my final action upon this measure. As to the professed objects sought to be accomplished by the friends of the measure, I dare say that none will be found not in hearty sympathy with every effort, hope, and aspiration that animate their purpose to enlarge, expand, and broaden our markets in the South and Central American Republics. No higher or more exalted spirit of American statesmanship or patriotism could well be exhibited than is shown by an honest, sincere, and patriotic endeavor to secure to American products and the fruits of American labor the advantages of enlarged and more profitable and remunerative markets.

If it can be clearly shown—clearly demonstrated—that Congress has the constitutional power to pass this bill, that its enactment will not violate any provision of that instrument, and that its provisions will accomplish the objects its advocates claim for it and secure the relief desired, then much if not all the substantial objections will have been met and overthrown. The other

remaining objections to the bill, of a less important nature and character, consist mainly of the doubtful expediency, prevalent in the minds of many gentlemen, of resorting to the exercise of the very questionable authority of the National Government to initiate by charter the proposed corporation and clothing it with the vast powers of banking prerogatives and privileges sought to be conferred upon it by this proposed charter.

I have examined the bill with some degree of interest and care, and, I may say, with the anxious desire to arrive at a conclusion which would justify me in casting my vote in consonance with the earnest sympathy I feel with the open and avowed purposes sought to be accomplished by its enactment. After careful consideration of its several sections and provisions, I must confess my inability to agree with the views expressed by many earnest and sincere friends of the bill, who seem impelled by the highest considerations of the public good in their zealous support and advocacy of it.

Should the measure pass this House and finally become a law, it is conceded by both its friends and opponents that it will mark the beginning of a new departure in the history of legislation, and will be the first attempt to invoke the legislative functions of the Government in behalf of the establishment of this character of banking institution. For this, if for no other reason greater care and grave deliberation should characterize the action of Congress and challenge a most thorough and cautious inquiry into the merits of the new scheme before incurring the dangers to which a hasty and rash conclusion might expose our people.

It is claimed by many gentlemen on this side of the House, and not a few upon that, gentlemen of long experience in the service of this House, lawyers of eminent ability and distinguished learning, whose opinions should be entitled to great weight upon constitutional questions, that the bill now under debate is unconstitutional. It is further contended that, waiving the question of its constitutionality, it will be impotent and powerless to accomplish the purposes and the only purposes for which it is contended it should be passed. As to the question of its constitutionality, I am fully persuaded that when a proper test is made under the rules declared by the Supreme Court of the United States upon similar questions in the cases of *McCulloch vs. The State of Maryland* et al. (4 Wheaton, page 316) and *Osborn and others, appellants, vs. The President, Directors, and Company of the Bank of the United States, respondents* (9 Wheaton, page 738), it must be held unconstitutional.

The question arising under the provisions of this bill is, and it is clearly presented, Has Congress power under the provisions of the Constitution to authorize the incorporation of a bank whose functions are conceded to be entirely of a private character and whose business, when incorporated, is to be prosecuted and conducted solely for private profit and gain and through the agency of officers selected by the corporation? The Supreme Court, it seems to me, has passed upon this question, and in the very elaborate and exhaustive opinion of Chief Justice Marshall in the case of *McCulloch vs. Maryland*, supra, has put at rest all reasonable controversy upon this subject. While it is true the court held in that case that Congress has power to incorporate a bank, it must not be assumed that this decision has reference to the establishment of a bank without limit or qualification, for the case then before the court involved the question of the constitutionality of the United States Bank, which was chartered by an act of Congress in 1791, not as a private bank, but as an agency of government, to aid in the conduct of its fiscal affairs, and herein lies the distinction between the case cited and the bill now under consideration.

In that case it was expressly held that the law which authorized the organization of the United States Bank was constitutional and valid, because it was the exercise by Congress of its sovereign power to create an agency appropriate to that end to carry out and execute an express power conferred upon Congress, and that inasmuch as the power was given to the Government to raise revenue, and of applying it to national purposes, it necessarily included the implied power of conveying money from place to place, as the exigencies of the nation might require, and of employing the usual means of conveyance. But in that case it was denied in argument that the Government had any choice of means or that it might employ the most convenient means, if this involved the necessity of erecting or creating a corporation.

To this proposition the court made response in the following language:

On what foundation does this argument rest? On this alone: The power of creating a corporation is one appertaining to sovereignty and is not expressly conferred on Congress. This is true; but all legislative powers appertain to sovereignty. The original power of giving the law on any subject whatever is a sovereign power, and if the Government of the Union is restrained from creating a corporation as a means for performing its functions on the single reason that the creation of a corporation is an act of sovereignty, if the sufficiency of this reason be acknowledged, there would be some difficulty in sustaining the authority of Congress to pass other laws for the accomplishment of the same objects.

Thus it will be seen that the court, in speaking upon the subject of the power of Congress to create corporations, admits that it does not exist by virtue of any express power conferred upon Con-

gress by the Constitution, and only exists and can only be legitimately exercised when necessary to carry into effect some expressly granted power, and that the objection that it is the exercise of a part of its sovereignty can not prevail to defeat a law enacted to aid in the execution of a power of government imposed upon it by the Constitution, even if that law authorizes the creation of a corporation, if that corporation is vested with public functions and is adapted to the end in view. But, again, this same court, speaking upon the subject of the powers of Congress, uses this language:

Among the enumerated powers we do not find that of establishing a bank or creating a corporation. But there is no phrase in the instrument which, like the Articles of Confederation, excludes incidental or implied powers and which requires that everything granted shall be expressly and minutely described. Even the tenth amendment, which was framed for the purpose of quieting the excessive jealousies which had been excited, omits the word "expressly," and declares only that the powers "not delegated to the United States, nor prohibited to the States, are reserved to the States or to the people," thus leaving the question whether the particular power which may become subject of contest has been delegated to the one government or prohibited to the other to depend on a fair construction of the whole instrument.

Here, again, we have the explicit declaration of the court to the effect that no express power is conferred upon Congress to create a bank or corporation as such, and it must logically follow that if no express power is given it can only exist as an incidental or implied power when necessary to the execution of some express power, and this class of powers are all of a public nature and exercised in the performance of some public duty or function of government. This same court, in the same decision, also held that any law passed by the States imposing a tax on the Bank of the United States was unconstitutional and void. Here is the language:

We are unanimously of opinion that the law passed by the legislature of Maryland imposing a tax on the Bank of the United States is unconstitutional and void.

This, of course, was upon the theory that the Bank of the United States was an instrument of government, and its operations, therefore, could not be interfered with in this way without embarrassing the General Government in the discharge of its governmental functions, with which, I am sure, it will not be contended the State has any right to interfere.

To make this point clear, I again quote the language of the court:

But this is a tax on the operations of the bank, and is consequently a tax on the operation of an instrument employed by the Government of the Union to carry its powers into execution. Such a tax must be unconstitutional.

If, therefore, it be conceded that the bill under consideration proposes to create a banking corporation without any endowments of a public character, without imposing upon it any public duties, it would seem to follow as a consequence that its enactment would be in derogation of the Constitution and violative of its provisions. But its advocates take shelter and seek to justify their contention in favor of the constitutionality of the measure under that clause of the Constitution which provides:

The Congress shall have power . . . to regulate commerce with foreign nations, and among the several States, and with the Indian tribes. (Article I, section 8, of the Constitution.)

The distinguished gentleman from Pennsylvania [Mr. BROSIUS], who has perhaps made one of the strongest and most eloquent speeches on the floor in behalf of this bill, quotes in support of his position the following language from Judge Story, in his Commentaries:

The subject to be regulated is commerce. Commerce is something more than traffic; it is intercourse. It describes commercial intercourse between nations in all its branches and is regulated by prescribing rules for carrying on that intercourse. To construe the power so as to impair its efficacy would defeat the very object for which it was introduced into the Constitution.

But conceding all that is here asserted, I fail to see in it any authority warranting the conclusion that this proposed measure of legislation is within the scope of the provision or clause of the Constitution under which it is attempted to be justified. Of course we all understand—it is the natural understanding wherever commerce is known, that it means exchange, barter, trade, and intercourse. Trade and exchange could not exist or be conducted if there was not intercourse between the nations or people thus engaged, and it just as clearly conveys to the mind the idea of some system of rules and means of conveyance.

That it contemplates suitable appliances, such as railroads, ships, steamers, and other like agencies necessary to the mechanism of transportation to carry it on, no one will dispute. Nor will anyone contend that commerce itself or any of the agencies or instruments essential to its operation are governmental functions. But what is insisted upon by the advocates of this class of legislation is that their regulation is within the power vested in Congress, and that to provide facilities for commerce is to regulate commerce, and therefore conclude that the establishment of this international American bank, provided for in this bill, is in aid of commerce because it facilitates banking exchange between the countries and the merchants and traders of the different countries with whom we seek closer and more intimate trade relations; that

it will cheapen the rates of exchange and reduce the cost of transportation.

That if this bank can be established, with its several branches distributed at convenient points in this country and its foreign branches in the Republics to the south of us, it will afford such increased facilities in the matter of buying and selling bills of exchange and in paying and liquidating the balances accruing from such trade that it will divert the course of business from London and the London banks, through which it is claimed all payments are now made, to New York, the site of the parent bank now proposed to be established; and hereafter all bills of exchange drawn or letters of credit issued by and between the people of this country and our South American neighbors in their purchase and sale of goods, instead of being drawn upon or issued by the London banks, will be drawn upon and issued by the New York banks, through the instrumentality of the system of banks now proposed. This proposition presents some alluring features. It appeals to a sentiment of national pride and independence and the spirit of patriotism of our people.

Gentlemen on the other side in their zeal have made very touching and eloquent appeals in behalf of the passage of this bill, upon the ground that we should assert our independence and declare our financial freedom from the domination of European influence in financial matters. None have excelled in this respect the distinguished statesman from Pennsylvania [Mr. BROSIUS], who, in language and logic both captivating and convincing upon this question, demonstrated to the entire satisfaction of the House that we are now, under our present system of finances, under complete servitude to European credit. The Democratic party has for many years contended that our financial policy has made our people bond slaves to the selfish greed of Europe, and I cheerfully commend this self-respecting assertion of the distinguished gentleman to the careful study and reflection of his political colleagues and the country. But to confine myself. It is claimed, and apparently truthfully so, that under the present situation the cost of exchange is about 1 per cent on all transactions between our citizens and the citizens of the South American Republics.

The reasons assigned are that when a merchant of Brazil or Chile wants to buy an invoice of goods from this country, say Chicago, to be shipped to that country, he is compelled to buy at least two bills of exchange, one on the London bank, and then to procure one on some American bank, say New York, and that it amounts to about 1 per cent; and that the same thing happens when an American merchant buys of either of these South American countries. This is true, it is claimed, because no American bank has any branches or agencies in those countries, while England, France, and Germany have branch banks at convenient points in each of them and afford the only facilities of buying exchange. If this is the condition of things, if on this account we are and have been seriously affected in our trade relations with these Republics, it ought to be, and I am sure it is, the universal desire of our people to afford some adequate remedy in whatever way possible through proper and legitimate channels. And if the wish and desire of the people, that feeling should find expression in these halls through their chosen representatives and public servants.

In my judgment it has long been the wish and in my opinion the only hope of our people, from the present and past tendencies to declining prices in all the great agricultural staples, to encourage and build up, enlarge and expand our markets for our surplus. No proposition would meet with such popular approval and enthusiastic sanction among the great masses as the one proposing to emancipate them from the servitude of limited and restricted markets, which have well-nigh destroyed all opportunities for gain and profit in the most important of all industrial employments of the nation. This class will hail with true and genuine good cheer the inauguration of any legislation tending to secure to them, not special favors, but equal privileges with the rest of their fellow-citizens; and when convinced that any such measure is proposed, I stand pledged by every consideration of sympathy, duty, and sense of justice not only to give it my hearty and cordial support, but to use every honorable endeavor to secure its passage.

But it does not follow that the bill now presented, whatever may be said in argument by its advocates, is such a measure. On the contrary, after a careful examination of its provisions, and after having been enlightened by the very able and exhaustive discussion had upon it, especially by those pressing its passage, I am fully persuaded that it is a vicious and crafty species of legislation, not designed to accomplish the ostensible and professed purposes of its introduction, but disguised under the specious and attractive but deceitful and misleading title of "A bill to incorporate an international American bank."

That while its friends claim that the sole and only object sought to be accomplished is to increase our export trade, yet it is the prevailing impression among many gentlemen who have, with great care and scrutiny, looked into its sweeping and extraordinary provisions, and its apparent want of adaptation to carry

out the avowed purposes of its authors, that its real and only purpose is and can be to foist upon the country a financial octopus—a gigantic corporation and financial institution under the sanction of the Federal Government, which, while not vested with the power of a bank of issue, yet is granted franchises and privileges that will enable it and its numerous branches to become a veritable monopoly of the most odious type. I do not believe that the people of this country are quite ready yet to look with favor upon any action of Congress to loan the sanction of their Government and the credit of its great name to a private enterprise of this character.

Even though the constitutional power to do this was undoubted, yet the policy of setting such a questionable precedent is and should be sufficient to induce a safe and prudent legislator to pause in his action before giving it the sanction of his vote. A brief reference to some of its provisions will serve to explain the scope of its operations, if this bank shall be incorporated as contemplated by this bill. Sections 1, 2, and 3 provide for the manner of inaugurating the organization of the bank. Section 4 provides that the capital stock of the corporation shall be fixed at a minimum of \$5,000,000, divided into shares of the par value of \$100 each. This section further provides that any time after the completion of its organization the capital stock of the bank may be increased, with the approval of the Comptroller of the Currency, to any sum not exceeding the sum of \$25,000,000, and, further, that thereafter the capital may be reduced by the action of the directors, with the approval of the Comptroller, but that it shall not be reduced below \$5,000,000.

Section 7 provides that the name of the corporation shall be known as "The International American Bank," and by that name shall have corporate existence for the term of fifty years, and shall have power, first, to adopt and use a corporate seal and issue certificates of stock; second, to have succession for fifty years from period of its organization, etc.; third, to make contracts; fourth, to sue and be sued, complain and defend, in any court of law or equity, as fully as natural persons; fifth, to appoint directors, etc.

Section 8 provides for the powers of the bank and the kind and character of business to be carried on, as follows:

Eighth. To carry on the business of banking by discounting and negotiating promissory notes, bills of exchange, drafts, and other evidences of debt; to receive deposits; to buy and sell exchange, coin, and bullion; to issue letters of credit to the order of the person therein named, and to loan money on personal security, subject to the limits hereinafter imposed; and to borrow money for use in its business in an amount not exceeding 50 per cent of its paid-up capital stock.

That said bank and its branches may take, reserve, receive, and charge on any loan, or discount made, or upon any note, bill of exchange, or other evidence of debt, such rate of interest or discount as is for the time the established rate of interest for delay in the payment of money, in the absence of contract between the parties, by the laws of the several States or countries in which the said bank and its branches are respectively located, and no more: *Provided, however*, That interest may be reserved or taken, in advance, at the time of making the loan or discount, according to the usual rules of banking; and the knowingly taking, reserving, or charging of a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of the debt or demand on which the same is taken, reserved, or charged; but the purchase, discount, or sale of a bill of exchange, drawn on actually existing values, and payable at another place than the place of such purchase, discount, or sale, at the current discount or premium, shall not be considered as taking, reserving, or charging interest.

Section 11 provides that the principal office and place of business of the corporation shall be in the city of Washington or in the city of New York, as the board of directors shall determine; and that the board of directors shall have power to open such additional branch offices in the United States, not exceeding eight, at points to be approved by the Comptroller of the Currency, as may be necessary to carry on the business. The directors shall also, within two years after the commencement of the existence of the corporation, open one such branch office in Mexico, one in the West Indies, and two in South America, at such points as directors may determine. They may also open such other branches in Mexico, West Indies, and South America as the directors may determine.

Section 12 provides that the bank shall be managed by a board of twenty-five directors, not less than fifteen of whom shall be citizens of the United States.

Section 23 provides that the property, franchise, and business of the corporation shall be subject to be taxed by the States in which said corporation shall conduct its business.

Section 23 provides that the Government of the United States shall not be, and shall not be assumed to be, responsible for any of the debts, obligations, contracts, or liabilities of the corporation.

Section 31 provides that the powers, rights, privileges, obligations, and duties conferred and imposed by this act shall not be exclusive, but shall be conferred and imposed on any citizens of the United States equal in number to the persons named in the first section of the act who, for the purpose of incorporating an international bank, shall take the steps and follow the procedure prescribed by this act to be taken and followed by the persons named in this section for the purpose of incorporating an international American bank.

Section 32 merely provides for jurisdiction in the State courts,

and that the corporation for all purposes of litigation shall be taken and held to be a domestic corporation.

I have thus given a brief outline of the bill, enough to convey a general idea of its contents. If anyone is able to discover any redeeming feature contained in any of its provisions, viewed in the light of a measure intended to promote the interest of our export trade or foreign commerce, then he should at least be accorded the distinction of possessing superior wisdom and mental penetration to the average mortal. The idea of a private institution or aggregation of private individuals, who have the authority and power under the laws of any of the several States to incorporate such a body as here proposed, coming to Congress and besieging this Capitol, seeking a charter from the National Government giving special privileges, for this is the effect of it, to operate banking, or rather a system of banking, throughout the Union and in foreign countries upon the mere pretext that private capital can not be induced to embark in so hazardous an experiment without the credit and prestige of the Government sanction—a Government charter from the National Congress—may well excite the anxious solicitude of the people and put to the severest test their long and patient forbearance, especially when it is conceded that such act can have no extraterritorial effect. Such a step can and will only be regarded by the conservative opinion of the country as but another advance in the march of our gradual but steady descent, through abuse, corruption, and misgovernment, to that centralization of power and imperial government so much feared in many quarters.

Think of it! A corporation vested with the powers proposed to be conferred upon this one, under the authority of whose franchise it would be authorized to establish as many branches as its business operations from time to time might demand, with the absolute requirement that its capital stock shall not be less than \$5,000,000 and may be increased to \$25,000,000, would, in the very nature of the case, create a monopoly and trust that would wipe out and extinguish all rivalry and competition.

And like all kindred institutions, it will employ and use its immense aggregation of capital in such manner as to first destroy all competition, then, dominated by its greed and cupidity, with the aid of still further legislation, which no doubt it will ask and likely get, develop into a system more dangerous and vicious than the worst that has ever cursed civilization in all the past. I know it seems to provide against any exclusive privileges, but the mere fact that no bank under the proposed charter can be organized unless a capital of \$5,000,000 is paid or secured does practically operate to exclude the organization of other banks. It is the pet scheme of the millionaires and large capitalists that will virtually place it beyond the power and reach of the ordinary citizens to engage in the business for want of means, and thereby secure the exclusive privilege to only those able to command large capital.

Believing this to be the effect if not the purpose of this measure, it affords, to my mind at least, a sufficient reason of itself why the bill should be defeated. But upon the whole, I do not believe that the advantages sought to be secured to our export trade and foreign commerce can or will be secured by the passage of this law, as urged and claimed by its friends. I think that a more practical and less dangerous remedy may be found in the policy outlined by that great party of which I am but an humble member, the party whose declaration of principles was last expressed in national convention at the great Chicago convention, and whose chosen standard bearer received more than 6,500,000 votes of American freemen at the ballot box in 1896. Pass this bill and in the future Congresses, the creation of this unfortunate measure, when it shall have grown to greater strength and pretensions, will revisit the scenes of its iniquitous conception and birth, and with paternal claims and patriotic appeals will lay siege to the capital of the nation and demand in the name of labor, commerce, the public welfare, or whatever else may popularize its demands, an extension of its charter privileges and the power to issue money.

Then the people will be aroused to a realization of the long-cherished scheme of many financial plotters in this country, who have often attempted, but thus far without success, to embody into law a scheme and system of finance fraught with the gravest perils to the masses. Without impugning the motives or challenging the integrity of purpose of those who take a different view, and who reply that if this should prove a bad or vicious law it could be repealed at any time Congress sees fit to do so, I think I may say that it is well to reflect that this is easily said but more difficult to perform. He who has studied the history of the old United States Bank, and knows the power and influence of great aggregations of wealth, need not be reminded of the almost insurmountable difficulties in the accomplishment of such an undertaking.

It is, sir, the wiser, better, and safer course not to venture upon such dangerous and doubtful experiments. Sir, it is entirely too characteristic of the times that we are confronted in the halls of legislation with measures tending to build up and solidify the capital and moneyed interests of the country, to authorize and

make it possible for the strong and mighty to crush out and destroy the weak and helpless. I am in perfect accord with the splendid eulogy pronounced by my distinguished friend from Pennsylvania [Mr. BROSIUS] upon the recent matchless achievements of our Army and Navy, and the glorious possibilities their valor, courage, and victories have opened up to our future, but I do not concur with him in the belief that this measure is another terrace in the ascent of our national destiny.

I prefer to take the other view, more in harmony with the spirit and genius of our institutions and in accord with the popular will. I prefer to withhold any further Federal aid to still further trench and fortify the banking interests of this country; to call a halt in the prostitution of the powers of government to advance private fortunes and add to the power and influence of these vast accumulations of money—already a menace to the liberties of the people and the integrity of the nation in the shameful abuse of its use, the still further opportunity of massing and pooling its resources under the direct authority of the Federal Government.

Already under laws enacted by the party now in control of the Administration this interest has been so generously provided for that, as an expression of its gratitude, if I may be pardoned the expression, and to perpetuate its reign, it revels in the debauchery of our elections, and from its large and accumulated surplus contributes fabulous sums for campaign corruption funds with which to exploit the people and control the tide of elections. Is it, therefore, strange or surprising that the party which is the recipient and beneficiary of such valuable favors, many of whose members doubtless owe their present elevation and power directly or indirectly to this influence, is always found in all contests of this kind almost solidly arrayed in favor of measures calculated to create and foster great trusts and combinations of capital, and otherwise accord them special privileges?

Sir, the public records of Congress abound with unchallenged statements to this effect, and it is said that the corporations, trusts, and other interests contributing these vast sums have not only received back, through special privileges and bounties, a sum equal to the principal thus advanced, but are now enjoying handsome profits on the investment. Any system of laws or policy that makes possible the existence of such a condition—and such a condition could not exist but for the vice of laws that encourage and foster it—can not too soon be wiped from the statute books and their revival forever made impossible. As a step along the line of this policy, I do not hesitate to say that the country will applaud the action of this House if it defeats this bill.

Army Reorganization.

The state of the Union: The times promise well for the day when the masses of America shall be the serfs and the vassals of the princes and lords, the barons and nobles, who sit in the castles of the trusts. The times promise well for the day when every laborer will be carrying a soldier of the Regular Army on his back, while his wife and his children are in the field begging and gleanings what the reaper has left.

SPEECH

OF

HON. JOHN J. LENTZ,

OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 25, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. LENTZ said:

Mr. CHAIRMAN: Regardless of what has been suggested by the gentleman from Iowa [Mr. HULL], I insist, first, that we are now considering "the State of the Union," and we are considering it particularly with reference to the necessity of an army of 100,000 men. We have a right to know what the purpose is for which 100,000 men in the standing Army is asked. With more than a century of history behind us, we have a right to estimate the future by the past. With but two years or less of this Republican Administration behind us, we have a right to guess the use they propose making of an army of 100,000 men.

We have had the distinguished mouthpiece of the Administration, after his experience with the gentleman from Washington [Mr. LEWIS] last week, resign and send his commission back to the White House. [Laughter.] Yesterday another gentleman from Ohio asserted himself in the rôle of the mouthpiece of the Administration and denied that the purpose was to take violent and "criminal" possession of the Philippines, using the language of the Chief Executive when he said that to take Cuba would be "criminal aggression!" To-day, after almost an hour and a half

of cross-examination and inquiry, the volunteer mouthpiece of the Administration from Iowa [Mr. DOLLIVER] failed to say "yes" to a plain English question, with all of his distinguished ability in the use of words, words, words! [Laughter and applause on the Democratic side.]

The gentleman from Iowa [Mr. DOLLIVER], in his ignorance of events transpiring in the American Congress, has seen fit to advert to and accuse me on the floor of the House of being the "sole member of this body," aside from the gentleman from Indiana [Mr. JOHNSON], who has taken occasion to criticize the Chief Executive of the nation during the discussion of the Army bill last spring.

Mr. Chairman, it is all well enough to have it so paraded in the syndicated and subsidized press of the country. But here, where the RECORD—the official record of Congress—is before honest men, I propose to challenge that statement and controvert it by reading a few sentences from the speech of the Republican Senator who was chairman of the Republican national convention in St. Louis in 1896, and I read from his speech made on the 24th day of March, 1898, two weeks before I spoke—my speech being on the 7th of April, 1898—and I submit to every man of character who respects his reputation whether hereafter he will say that any member of this House has uttered "such a criticism" on the Chief Executive of the nation as was uttered by the chairman of the Republican national convention on that day of March in 1898 to which I have referred.

I repeat that my speech was on the 7th day of April, 1898. Our friends on the other—the majority—side of the House had a purpose. Then and there, when they submitted a proposition to perpetrate upon this country a standing army of 67,000 men in time of peace, at the time when the chairman of the Republican national committee was saying that "there will be no war" between Spain and the United States, at the time when the friends of the Executive were declaring that "there will be peace at any price," then, sir, you proposed to settle upon the country, by an insidious Hull bill—by an Administration bill—you proposed to make provision for a standing army of 67,000 men in time of peace and 104,000 in time of war. That was the proposition which confronted the representatives of the people last April.

Is there any indication as to why you wanted these men then? Why did you want them? What reason was given? You were then declaring, "There will be no war." All the mouthpieces of the Administration made that declaration. You were declaring yourselves ready "for peace at any price." You must, therefore, have intended the 67,000 men in time of peace for some other purpose than for the purpose of taking violent, aggressive, forcible, and "criminal" possession of the Philippine Islands. The Philippines then were not thought of. And yet, Mr. Chairman, a bill was brought forward in this House, framed under the influence of the Administration, to provide a standing army of 67,000 men in time of peace and 104,000 in time of war. Answer what you wanted these men for, if you dare.

Two weeks prior to the presentation of that bill, which, fortunately, was defeated, the Senator to whom I have referred stood before the American people in the great national schoolhouse at the other end of the Capitol, and called into his presence the spirit of his dead wife as he delivered his speech in the following words—and if he ever was sincere in his whole lifetime it must have been when he used these words, when he refers to the command of silent lips to speak the truth upon the pending question, and when he says, "I could not satisfy my conscience except by speaking and speaking now."

And he proceeds to give the reasons for the faith that is in him in these words:

I am a Republican, and I turn to the last platform of my party and I read: "From the hour of achieving their own independence the people of the United States have regarded with sympathy the struggles of other American people to free themselves from European domination. . . . We believe that the Government of the United States should actively use its influence and good offices to restore peace and give independence to the island."

The Senator also said on the 24th day of March, 1898, with his knowledge gained of the Cuban situation after a visit there, the following:

The time for action has come. No greater reason for it can exist to-morrow than exists to-day. Every hour's delay only adds another chapter to the awful story of misery and death.

Two weeks before I spoke, and almost a month before we declared that the Cuban people "are and of right ought to be free and independent," the Republican Senator from Nebraska said, "The time for action has come." And yet the President of the United States is still insisting upon the right to overrule the people and establish what he called a "stable government" in Cuba, denying them both freedom and independence. The voice of the people is no longer heard in the land!

No wonder Thomas M. Cooley withdrew himself from the Republican party, when he declared that in his judgment the "centralization of power" at Washington had gone already too far! No wonder Henry Ward Beecher, who helped to lay the corner stone

of the Republican party when it was organized, said in the fall of 1893 that in his judgment "centralization of power at Washington has gone too far!"

Four hundred and forty-seven Congressmen and Senators ignored and repudiated their declaration that the Cubans "are free" in their declaration that the Cubans "of right ought to be free." I resent the encroachment of the Executive upon the prerogatives of the legislative branch of this Government. Senator THURSTON resented it on the 24th of March, 1898. Here is his own language:

There are some who say, but they are mostly those who have procrastinated from the beginning up to the present time, "Let Congress hold its peace, adjourn, go home, and leave the President to act."

I for one believe that the Congress of the United States is an equal and coordinate branch of the Federal Government, representing the combined judgment and wisdom of the many. It can more safely be depended on than the individual judgment and wisdom of any one man.

Mr. President, against the intervention of the United States in this holy cause there is but one voice of dissent; that voice is the voice of the money changers. They fear war! Not because of any Christian or ennobling sentiment against war and in favor of peace, but because they fear that a declaration of war, or the intervention which might result in war, would have a depressing effect upon the stock market.

Mr. President, I do not read my duty from the ticker. I do not accept my lessons in patriotism from Wall street.

Such was the language of the Republican Senator from Nebraska, and in substance that is what I said two weeks later.

Mr. President, I do not read my duty from the ticker. I do not accept my lessons in patriotism from Wall street.

Who was it that Senator THURSTON insinuated did read his lessons in patriotism from Wall street? Against what policy was he then declaring? He goes on further and says:

But in the meantime the specter of war would stride through the stock exchanges, and many of the gamblers around the board would find their ill-gotten gains passing to the other side of the table.

Let them go; what one man loses at the gambling table his fellow-gambler wins. It is no concern of yours, it is no concern of mine, whether the "bulls" or the "bears" have the best of these stock deals. They do not represent American sentiment; they do not represent American patriotism. Let them take their chances as they can. Their weal or woe is of but little importance to the liberty-loving people of the United States. They will not do the fighting; their blood will not flow; they will keep on dealing in options on human life. Let the men whose loyalty is to the dollar stand aside while the men whose loyalty is to the flag come to the front.

Senator THURSTON saying that to the Chief Executive in the White House; Senator THURSTON saying that to the men who were saying, "Peace at any price!"

The CHAIRMAN. The gentleman will be in order. It is not in order to comment in the House upon what has been said in the Senate.

Mr. LENTZ. I am not commenting.

The CHAIRMAN. It is not in order to allude to it or read it in the House.

Mr. LENTZ. This is something new. When the gentleman from Iowa [Mr. DOLLIVER] says that I am the only one, excepting the gentleman from Indiana, in this Congress, I think I have a right to disprove the statement and read from the records of Congress.

The CHAIRMAN. Then the gentleman must do it in a parliamentary way. He can not allude to the debate in the Senate.

Mr. LENTZ. I have a right to read from any Senator.

The CHAIRMAN. It has been held time and again that it could not be done in the House, and that no member of either House can comment upon what has taken place in the other.

Mr. LENTZ. I have read enough to satisfy me, and I hope to satisfy the public.

Mr. OGDEN. You are making no comments; you are only reading.

Mr. LENTZ. Do I understand the Chair to say that I can not read another paragraph of that speech?

The CHAIRMAN. The Chair so holds.

Mr. LENTZ. Who makes this point of order?

The CHAIRMAN. The Chair makes the point of order. The rule makes it the duty of the Chair, when a member is out of order, to call his attention to it.

Mr. LENTZ. Will it be in order to have one of the reading clerks read it to this House?

The CHAIRMAN. It would not.

Mr. LENTZ. Under what rule, if the Chair pleases?

The CHAIRMAN. Under a general rule of parliamentary law found in the Manual, which the gentleman can read at his leisure.

Mr. LENTZ. I should like to be referred to it.

Mr. OGDEN. Will the Chairman read the Manual for the information of the House?

The CHAIRMAN. The Chair will read for the information of the gentleman from Ohio:

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other.

There is more upon the same subject, but that is sufficient.

Mr. LENTZ. If the Chair please, this is not on the "same subject" that is before this House. This is a question of privilege.

The gentleman from Iowa [Mr. DOLLIVER] makes a charge against me which I propose to refute by quoting from the RECORD, as I have the right to do.

The CHAIRMAN. The Chair thinks not.

Mr. COX. Mr. Chairman, will the Chair allow me to make a parliamentary inquiry there? When my friend undertakes to refute a charge made against him—

The CHAIRMAN. The gentleman from Ohio states that the gentleman from Iowa made certain assertions with regard to his allusions to the President, and he proposes to disprove that statement, and prove that others were made in the Senate, by reading from the proceedings of the Senate. Now, that is referring to the proceedings in the Senate. Not only that, but it is reading the record of the proceedings in the Senate upon that matter.

Mr. BLAND. I think the Chair will notice, if the gentleman will pardon me, that while the rule itself—and no one questions that—is very narrow and confined, that you can not read upon the “same subject” matter or give the matter, if we were considering the question.

The CHAIRMAN. It can not be done in that way. The rule is to prevent the reading of what any Senator has said, and to prevent a misunderstanding between the two Houses, or to quote from any member of the House.

Mr. BLAND. It is the same subject-matter, and it is not required about the reading of ancient history. That is frequently read.

The CHAIRMAN. The subject-matter, and the matter, the gentleman states, is to disprove what was said by the gentleman from Iowa, and is right on that subject-matter.

Mr. BLAND. He is simply quoting from a Senator, and from a different subject-matter from that under consideration here.

The CHAIRMAN. This is not new. It has been ruled on a good many times during the time that the gentleman from Missouri and the Chair have been members of the House.

Mr. BLAND. The Chair is right about that; but the Chair will notice that the rule is somewhat narrow and contracted, and confines it to the “same subject-matter” under consideration.

The CHAIRMAN. But the object of the rule is to prevent misunderstanding between the two Houses.

Mr. BLAND. But that is not historical matter, it is simply while legislation is pending between the Senate and the House, in order to influence action in the House and to influence opinion in the House, upon a subject upon the floor. It would not be proper to read the opinion of a Senator upon that subject-matter; but that is not the case here at all.

The CHAIRMAN. The Chair is very clear that the gentleman from Ohio can not read from that speech under the rules of the House.

Mr. BLAND. Frequently they have referred back to the days of Clay and Webster. That is historical matter, and that is all there is about it.

Mr. LENTZ. I have only this to say, Mr. Chairman: The gentleman from Ohio is very clear that this is very uncomfortable reading to the other side. When the gentleman from Iowa quoted Senator Vest, the Chair did not discover that that was objectionable.

The CHAIRMAN. The Chair did not notice what he was reading until he had completed the paragraph, the Chair being engaged in conversation with two gentlemen.

Mr. OGDEN. Then the Chair was neglecting his duties by engaging in conversation with gentlemen on the floor.

The CHAIRMAN. The gentleman from Ohio himself stated that he read from what a certain Senator said in the Senate, and did it for the purpose of disproving the remarks of the gentleman from Iowa. In fact, he said the gentleman from Ohio had been the only man who had made any such reflection. The gentleman from Iowa read from a magazine article.

Mr. LENTZ. The gentleman read from a magazine article—an article of the Senator from Missouri.

The CHAIRMAN. Oh, certainly.

Mr. TODD. The Chairman has said that he did not hear the gentleman from Iowa reading that article, because he was engaged in conversation with gentlemen. Can not he give to the gentleman from Ohio the same privilege that he has to the gentleman from Iowa? [Laughter.]

The CHAIRMAN. The gentleman from Iowa did not refer to the gentleman from Ohio.

Mr. LENTZ. The gentleman from Iowa referred to me by name, but I do not care for any more of my time being consumed on a question of that kind.

I think I have read enough of the RECORD to prove to any fair-minded man that I never said anything more severe about Wall street and stock tickers; nor did I say anything more severe about the President. But I did suggest that we might take the stars from the flag and put dollar marks in their places, and take off

the stripes and put in their places ribbons from the stock tickers. And all that is in Senator THURSTON's speech.

The CHAIRMAN. The gentleman from Ohio will resume his seat. He is not in order.

Mr. LEWIS of Washington. I move that the gentleman from Ohio be permitted to proceed in order.

The motion was agreed to.

The CHAIRMAN. The gentleman from Ohio.

Mr. LENTZ. It is high time to consider “the state of the Union” when the majority is boasting that it has now secured possession of the United States Senate for eight years and declares that Democracy can not, even with the assistance of the Populists and other reform forces of the country, again have the Senate in control at best until 1907. Why does the majority show itself so anxious to impose a standing army of 100,000 men upon the people, and yet no man among them is willing in so many plain words to say that they intend by force to plant a flag upon the soil of a free people whether they will or no?

If we are not sure of using these men in the islands, then why this great haste to raise and maintain this enormous force? Let us ask who is demanding this extraordinary departure from the practice and policy of the fathers? Surely not those who pin their faith and swear their allegiance to the Chicago platform of 1896. I take it, then, my friends, that those who are in favor of a gold standard are the men who insist upon a standing army. I take it that these men, who are against an income tax and in favor of government by injunction, and also in favor of continuing trusts and syndicates, are the men who are forcing this measure through the House. Within the past few weeks five hundred millions of capital is represented by the trusts and syndicates incorporated in the State of New Jersey, and is it not possible that the organization of these trusts means that this standing Army is to be prepared to shoot labor in the back just as they did a few months ago at Hazleton, Pa.?

The owners of these trusts know that before long they will be shutting up a factory here and an establishment there, and that they will be turning out upon the streets within the next few months thousands of unemployed men; that there will come a period of unrest and discontent, and that the people will not long submit to seeing able-bodied and fair-minded men pleading for an opportunity to earn a loaf of bread; pleading for an opportunity to earn a schoolbook for a child; pleading for an opportunity to earn a calico dress for a wife. All of you know that that will result in strikes and riots. Necessity knows no law. Those who contemplate and demand the standing Army of a hundred thousand men can have no other purpose than to quarter it soon within the States of the Union, to be a menace to liberty and to labor. The men who favor this Army are the same men who intimidated and coerced labor in 1896 and used millions to bribe the weak and purchasable in that campaign, memorable for its corruption.

It was the boast of Philip II of Spain, the oft-repeated boast, that “I pass as the richest man in the baptized world; the sun never sets on my possessions.” That Philip II was the same Philip who sent the armada to England. That Philip II was the same Philip who owned the Philippine Islands and for whom they were named. That same Philip who, in all his power and arrogance, was so great that of his four wives he married one in Portugal, the second in England, the third in France, and the fourth in Austria, died September, 1598, just three hundred years before our Peace Commission went to Paris. It may teach us a lesson.

Spain, in all her pomp and in all her wealth, weakened herself, destroyed herself, when she became vainglorious. We in our effort to imitate and pattern after Europe, although we had declared our freedom and our independence from their theories and their superstitions, now follow day by day everything that is European or English, you know, and adopt the same monetary system. In addition to that, we are now patterning after them in our social affairs. In addition to all that, by this legislation you now propose to pattern after them in our military and naval affairs and to establish a system of militarism in the United States. Under the gag and whip of a few bosses of the majority it seems that the American Republic is losing all power of thinking for itself. The power of the plutocratic oligarchy comes creeping steadily on, and you and I are all aware that the great masses of the American people are weaker than they were twenty years ago. Emerson said that the word “America” is synonymous with the word “opportunity.” We boast of justice and equality. There is no equality unless it means equal rights. There are no equal rights unless it means equal opportunities.

Where is the father in the middle classes, where is there a father on the farm, where is there a father in the factory, where is there a father among any of the plain people who can look forward to the next ten or twenty years and say there are equal opportunities for his sons and daughters with the sons and daughters of a few millionaires of the country? That is the issue.

It was Jefferson who said in a letter written in 1813 to John

Adams, five years after Jefferson had retired from the Presidency of the United States:

I agree with you that there is a natural aristocracy among men, the grounds of which are virtue and talents. There is also an artificial aristocracy, founded on wealth and birth, without either virtue or talents. The natural aristocracy I consider as the most precious gift of nature for the instruction and government of society. The artificial aristocracy is a mischievous ingredient in a government, and provision should be made to prevent its ascendancy.

Thomas Jefferson, who devoted fifty years of his life to public service and public philosophy, made that declaration, and John Adams agreed with him, and yet here to-day we are asked by the agents of the money power to put upon the descendants and political heirs of Jefferson and Adams and Jackson and Lincoln a standing army of 100,000 men, and no one of the proponents of the bill will dare to say what we are going to do with the standing army after we create it. If there ever was a time in the history of America when a standing Army of 25,000 men was all sufficient, that time has come now.

When the nation was weak we had no such army. When it was constantly menaced by the greed and arrogance of Europe we had no such army. Now, with 75,000,000 people; with the experience of Manila and Dewey on the 1st of May, and Santiago and Schley on the 3d of July, and with the German Emperor saying of our boys on those battle ships that "They fight like veterans;" with those four words from the autocrat of Europe, we have nothing to fear from any power so long as we keep within the legitimate boundaries of the written and unwritten Constitution of the United States.

It seems to me it is opportune and timely to suggest the thought of Abraham Lincoln, when he said:

At what point shall we expect the approach of danger? Shall we expect some trans-Atlantic military giant to step the ocean and crush us at a blow? Never! All the armies of Europe, Asia, and Africa combined, with all the treasures of the earth (our own excepted) in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years. At what point, then, is this approach of danger to be expected? I answer, if it ever reach us, it must spring up amongst us. It can not come from abroad. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen, we must live through all time or die by suicide.

To tolerate syndicates and trusts is to carry to our national firesides serpents that will enable us to commit suicide.

Greed and arrogance are indigenous to no soil and no zone, peculiar to no race and no nationality. They are as natural to certain conditions of the human family as alligators and crocodiles are to certain swamps, and as ready to devour anything and everything that is weaker than their all-expanding jaws.

Solomon cried out against this everlasting greed when he pronounced that undying proverb, "The love of money is the root of all evil." Not only is it the root of all evil in private life, but it is also the root of all evil in public life. We love money not for the thing itself, but for the power it gives; and when a few men in a republic have power sufficient, by reason of their wealth and the combinations of their wealth, to dictate the policy of the government, then indeed is the republic little, if any, better than a despotism.

With the multiplication of trusts, the Government is rapidly, if not hopelessly, passing over into the hands of the men who insist upon government by injunction, who refuse to pay an income tax, who demand the single gold standard, and are determined to increase the standing Army to a hundred thousand men. The times promise well for the day when the masses of America shall be the serfs and the vassals of the princes and lords, the barons and nobles, who sit in the castles of the trusts. The times promise well for the day when every laborer will be carrying a soldier of the Regular Army on his back, while his wife and his children are in the field begging and gleaning what the reaper has left.

Why not pursue the policy, why not remain faithful to the principles and precepts, of the fathers? But a few months ago we on this side of the House, and many patriotic men on the other side, volunteered the services of the United States as a humane society to prevent murder, starvation, and rape in the little island of Cuba on our very doorsteps. We went there in sympathy, in charity—not for conquest. We declared in our resolution that it was not for conquest. We declared in a statute which was prepared in the room of the Committee on Military Affairs that the men who were enlisted for this purpose should be immediately restored to civil life upon the termination of peace. It is true the Administration now holds that we have no peace. In October we had peace enough to have a "peace jubilee" at Chicago, attended by the Chief Executive of the nation, while the campaign needed political enthusiasm, but we have not had peace enough to allow the "boys" to return with their classmates to the colleges and universities of the country, where they would go on fitting and preparing themselves for life's great work. Peace has a meaning in the political jubilee different from what it has to the boys who want to attend the colleges and the universities of our Republic.

Now we are racked with wars and rumors of wars. Since last summer we have heard and read much concerning "British alliance." One day the columns of the newspapers, in glaring head-

lines, speak of the insolence of Germany; the next day in some subordinate column it is all taken back and explained away. One day we hear that Admiral Diederichs did this, and the next day we hear that he did not.

Now, the proposition I make on that subject is this, that the German Empire must be credited with about as much common sense as any other people on the face of the earth. Why should Germany want to quarrel or to enter upon a war with America? Why should Germany, with her 50,000,000 of people, want war with 75,000,000 of people in the American Republic, of whom between 15,000,000 and 20,000,000 are her descendants and their sons and grandsons, their daughters and granddaughters?

Associated Press dispatches, manufactured in Hongkong and carried across the country, keep our land agitated with the theory that Germany wants war. When was she at war? Not since 1871, and then for her own well-defined and proper purpose—to recover territory to which she felt herself entitled—reading her own history in her own way. Do we want war? Is it not the business of the American Republic to promote peace? Let us go on growing. If you want to carry your battle-axes and spears around the earth, wait until you have force enough to cope with the tens of millions you will meet in Europe and Asia before you undertake the business of everybody else and neglect your own.

Reading the headlines in reference to the Samoan business within the last few days, what do they suggest? You would imagine that Germany was seeking war with us. What would she gain by it? Do you suppose she would go to war for all there is in those miserable little islands? She can not afford to go to war for even thirty days, if she could succeed in that time in getting the whole of the Samoan Islands.

The only friction between Germany and this country has arisen out of the tariff legislation in the two countries. On the one side, we have built up a tariff wall of high protective rates. The nobles owning the lands in Germany, and known as the Agrarians, see a menace and an injury threatened to their interests, and to counteract it they must meet us with laws that will exclude American pork and American beef. If it is proper for us to shut out German buttons and German sugar, we ought to be decent enough to recognize that that nation has the right to retaliate with laws which will shut out our meats and our grains. Germany is seeking a market for her labor in the shops; America is seeking a market for her labor on the farm. When we legislate a high protective tariff, we must expect them to retaliate by similar laws which will operate to protect their labor. Outside of that there is no friction between the two countries. Our ambassador, Mr. White, not only said in his speech in Dresden on the Fourth of July, but said again recently, that the feeling in Germany is friendly to this country. Let us not be misled. I venture the statement that no one can bring on the floor of this House any record either of the State Department or the War Department or the Navy Department of anything except the most faithful neutrality on the part of Germany throughout our conflict with Spain.

I want to stand on the doctrines of Thomas Jefferson: "Peace, commerce, honest friendship with all nations, entangling alliances with none." Let us adopt and maintain that doctrine to-day. I want the friendship of England, but I do not want it from England any more than from other countries with which we are brought into contact throughout the civilized world. I do not want it from England more than I want it from Germany, from Russia, or from France. Let us maintain friendly alliances, friendly relations, and good will with all these nations. Let us conduct ourselves with such impartiality toward all nations as to be able to claim and continue Germany, France, and Russia, as well as England, among our friends.

I do not thank England especially for her sympathy in the Spanish war. I hope no one will be foolish enough to believe that 75,000,000 people found it necessary to obtain the sympathy and good will of any other nation to carry on a war with some 17,000,000 Spaniards.

Besides, Mr. Chairman, if it is profitable for England to sympathize with us, it is also profitable for Germany, it is profitable for Russia, and also expedient for France to sympathize with us, because they prefer our friendship, our social and commercial relations, rather than those of Spain. It is worth very much more to them than our animosity. There are more millions in it to them, beyond any question of their sympathy, than there is in sympathizing with poor, weak, broken-down Spain. It is a question of self-interest after all. If England had shown us a single favor in that conflict, it was unfair on her part to Spain, because she held out to the world the attitude of strict neutrality. If Germany had shown a single favor toward the United States of America in that war against Spain, she would have been dishonest, because her policy was the declared policy of neutrality.

So it is with any other nation in the world. And I hope we are getting ready to appreciate these facts. They should not be forgotten. At the same time I hope, Mr. Chairman, that we are not getting ready to go to war with Germany; and if so, if we are to fight Germany, where is the fight to be made? At Samoa, on the

Philippine Islands, or upon our own territory or on German soil? If we are going on German soil, we had better prepare to meet 585,000 men, who will be ready for us. If we are going to fight here, we had better invite her 585,000 men to our soil. But before you do it, what are you going to fight about?

We ask our ministers in the pulpit every November, on Thanksgiving Day, to preach a sermon of peace, a sermon of the beating of our swords and our spears into plowshares and pruning hooks. For what purpose? To prepare for war?

But in the meantime what are European nations doing? We hear of what the Czar of Russia proposes to do. He had said he proposed to build 2 battle ships. England said she would build 4. The Czar went a little further and said he would build 8. England said she would build 16, and thereupon the Czar said, "Let us have peace." [Laughter and applause.]

Mr. Chairman, it is no wonder that they want peace. No wonder that they seek an alliance with a country like ours—an alliance with the American people, with all of its strength, vigor, and resources. The German Emperor wants it just as much as the Queen of England. He wants to keep in touch with American progress and American resources, and when he said that our men at Manila "fought like veterans," he meant it as a compliment to the American people and a tribute of friendly feeling.

Why should Germany quarrel with us, when we have more of her nationality who are citizens of our country than of any other nationality on the face of the earth? Why should Germany quarrel with us, when she helped us even to establish the Republic? Why should Germany quarrel with any republic, when, after humiliating France and taking one billion in gold as an indemnity, she permitted it to establish a republic immediately on the other side of the government boundary fence?

Germany speaks her policy through Von Bulow, one of the greatest statesmen in the world, whose motto is, "Live and let live." They ask only the rights of Germans in any portion of the world where their rights are to be maintained. They have denied no rights to us to which we are entitled, and I defy you to produce any records from any of the departments of this Government to the contrary.

In our Revolutionary war Germany was in sympathy with this country. In the civil war she was in sympathy with the Union. Frederick the Great furnished from his own military staff Baron Steuben, at the time of the Revolution, to train the colonial soldiers in the use of arms. He was at Monmouth and commanded the left wing of the Army and was side by side with Washington at the surrender at Yorktown. He became a citizen of the United States and to this day his remains lie buried in the Empire State of New York.

The whole history of the German people, Mr. Chairman, has been one of sympathy with us in our oppression in 1776 and in our efforts to make this the land of the free and the home of the brave in the sixties. Their whole treatment of us has been one of friendship and affection. Surely we are not getting ready to go to war with Germany. We are at peace with all the world except Spain, and she hasn't so much as a tub left to go into the water. We must, then, intend to establish a large standing army for some other purpose than war with our neighbors. Why not do as Abraham Lincoln proposed after the civil war in his last public utterance, when he said to the people of this country—

I propose in disbanding this million of men to send them to the Rocky Mountains to dig silver and gold. I propose to demonstrate to the world that we are the treasury of the earth. I propose—

He says—
to make the payment of debt easier.

Why, if Abraham Lincoln had talked about making the payment of debt easier in 1896, instead of on the 14th day of April, 1865, and he had been assassinated in 1896, you would have believed without question, and you would have set your detectives to work to demonstrate, that he had been assassinated by the money power. They were the people who said that sentiments of that kind were anarchy. They were the people who said that sentiments of that kind came from the unwashed and the uncumbered. They were the people who said that sentiments of that kind came from men who were dishonest and had no regard for national honor.

Think of Abraham Lincoln proposing to make "the payment of debt easier" at a time when we saw on the floor of this House an effort to make the payment of public debt impossible. A few months ago we voted, they say, against a revenue bill, and throughout the country it was maliciously misrepresented on every stump by the Administration party that we were against supporting the Administration with funds because we refused to vote for six hundred millions of bonds and interest-bearing certificates. Let us see what the \$600,000,000 of bonds meant, my friends.

The revenue law, independent of the bonds, produces half a million of dollars a day—in round figures, \$150,000,000 to \$176,000,000 a year—by means of the stamp taxes, the taxes on tobacco, liquors, and the like. In two years that would be \$600,000,000 of

bonds, and adding the accumulations of revenue, which would be three or four hundred million dollars more, and you would have a thousand millions of dollars to carry on a war which the distinguished Mr. Dingley said would cost us about \$25,000,000 a month. Twenty-five million dollars a month to carry on a war, \$300,000,000 a year, meant \$900,000,000 for a war of three years. Seventy-five millions of people to conquer 17,000,000 people, and three years in the process! Shame on the suggestion!

Seventy-five millions of people in a conflict with 17,000,000 people. If you could put that onto a screen and represent it by a diagram, making your man 1 inch high for each million of people, you would have a Spaniard 17 inches high. Make your American 1 inch high for each million of people and you would have an Uncle Sam 75 inches or 6½ feet high. Then they tell us that they wanted this \$600,000,000 of public debt in order that this 6½-foot giant might, within three years, be able to kick this little 17-inch Spaniard off the island of Cuba. Does anybody believe it?

Take Spain in her wealth and compare her with the United States, and on the same scale she has one-tenth the property that we have. Paint your Spaniard 1 foot high, and by the same scale your Uncle Sam would be 10 feet high. Do you believe that it was the intention to say to the people that it would take this Uncle Sam 10 feet high all summer to kick the little 1-foot thing into the water?

Take them as we measure people by their intelligence. Take the post-office system of the two countries, taking the letters and papers and magazines that pass through our mails, and we have forty times as many as Spain has. Intellectually—for that is a fair way to make the comparison—you have an Uncle Sam 40 feet high, engaged in a three years' struggle to conquer a little miserable Spaniard 1 foot high. Oh, no, my friends; you could not have been sincere. You could not have believed that it would take all this money for this giant to conquer this little helpless thing on the island of Cuba.

Oh, no, my friends, be frank with us. Tell the truth. Do you not know that the reason you are running your stock gambling so high just now is because, temporarily, you are not selling any Government bonds, and the dividends on stocks, the interest on municipal bonds, on street-railway bonds, on electric-light bonds, on State bonds and national bonds is accumulating in the hands of the clippers of the coupons, and the trusts have taken away the opportunities for starch enterprises, have taken away the sugar enterprises, have taken away the steel-wire nail industry, the biscuit industry, the glass industry, the pottery industry, and everything else that you can name that is used either in food, clothing, or shelter, and there is no opportunity for the investment of the accumulations in Wall street, and before long we shall have to have bonds again?

And the reason you wanted six hundred millions of bonds was so that it would not be necessary to come back to the people of the country and expose the greedy hand of the bond grabbers until after the election of 1900. That is why the bill was made so extravagant and large in the issue of bonds. There is no safe investment for the increasing capital. There is no safe investment for these dividends and interest, and therefore they want to put from year to year a mortgage on the continent and appropriate in the form of interest the few paltry dollars that the farmers and the laborers are carving out by their daily toil and their daily sweat.

What other purpose could you have had? What else could you expect, however, of an Administration that does not dare to quote Abraham Lincoln? What else could you expect of an Administration that does not dare to quote Andrew Jackson? What could you expect of an Administration that does not dare to quote Thomas Jefferson? Jefferson and Jackson and Lincoln! They said and believed that "an injury to the least of us should be the concern of all of us." Jefferson, Jackson, and Lincoln showed themselves all through their lives to be in sympathy with men, not dollars, and if they were living now they would be here in the House of Representatives to-day fighting this bill to increase the burdens of the people.

No one on this side of the House has ever said anything more severe against the money power than the quotation I read from Thomas Jefferson. No one on this side has ever said anything more severe than Abraham Lincoln when he wrote to Boston in reply to a letter written to him inviting him to speak at a banquet in 1859. He said:

As I read Jefferson, I find that he said that whenever the conflict in this country comes between the man and the dollar, I shall go over to the side of the man as against the side of the dollar.

Mr. Lincoln goes on and in his letter said to his Boston friends: So I, like Jefferson, will go over to the side of the man as against the side of the dollar.

What was he talking about? He was talking about the times of Wendell Phillips and Lloyd Garrison, who received the sneers and jeers of the wealth of Boston. What was he talking about in

his debate with Douglas? What was he talking about in his campaign in 1860? It was along the lines declaring that even in Illinois the wealthy and influential classes of society had murdered Lovejoy and destroyed his printing press, although Lovejoy was simply proclaiming the doctrine that this country should be the home of the brave and the land of the free. That same Abraham Lincoln who ran on that platform of freedom in the United States found in his own little city of Springfield that out of the 23 ministers in the pulpit there were only 3 who voted for him for United States Senator, and 20 of them voted against him and against freedom. History repeats itself.

It is not a difficult thing to get the "wealthy and the well-born" together, as Alexander Hamilton calls them. Mr. Hamilton, the Federalist, proposed that only the wealthy and the well-born were fit to govern, and declared that the people were "a blind and brutal monster," and it was over that that Thomas Jefferson took issue with Alexander Hamilton, and from that time on there has been in this country two political factions, well defined and separated as this center aisle of this House separates us.

The wealthy and well-born crucified the Representative of the poor 1900 years ago. It was Divine law crucified by human law when the Teacher from Nazareth was nailed to the cross.

It was divine law that was crucified when John Brown was put to death. It is divine law to-day pleading against the inhuman laws of the United States that deny a man or a woman the right to work and earn a wholesome living. It is both human and inhuman law that will outrage American history and American hope with the monster of a large standing army—the natural product and necessity of the greed of the trusts and syndicates. Can we trust the Administration with such an army? Will the people be safe with a standing army of 100,000 men controlled by an Administration that coaxed and wheedled and tricked John Sherman out of a seat in the Senate?

The CHAIRMAN. The Chair would state to the gentleman that his hour has expired.

Mr. LENTZ. I was not limited to an hour. I was yielded such time as I might desire to use. How time changes all things!

Jefferson, Jackson, and Lincoln were elected in spite of the opposition of the "wealthy and well born," and in this particular they differ materially from the Chief Magistrate who now occupies the nation's executive chair as a result of the combined banking and railroad influences, and as a result of the colossal contributions of syndicates and trusts. A corruption fund estimated at \$16,000,000, spent largely for the bribery of voters and for the establishment of an army of spies, who carried on a system of espionage to intimidate and coerce labor, that was made weak and timid by the appeals of wives and children. Sixteen millions of dollars! More than was spent for the election of Lincoln, Grant, Hayes, Garfield and Harrison—more than was spent for all the other Republican Presidents combined! No wonder the cuckoos call him great; they paid such a great price for him.

Fraud and false pretenses, falsehood, slander, and libel were resorted to prevent the restoration of the money of Jefferson, Jackson, and Lincoln. And this was the same Lincoln who in his last public utterance said:

The more gold and silver we mine, so much the easier we make the payment of the national debt. I am going to encourage that in every possible way.

Abraham Lincoln on the last day of his consecrated life proposing to make the payment of debt easier, while MARK HANNA's Administration and Wall street, misappropriating the name of Lincoln's party and thereby choosing the livery of heaven to serve the devil in, not only have repudiated the proposition of Lincoln to make the payment of debt easier, but for two years have persisted in a policy of making it utterly impossible to pay either the national debt or the private debts. They persist in their determination to make the national debt larger and to prevent the mining of silver, thereby reducing the quantity of money and depriving labor of hundreds of millions of wages. If Lincoln was right in proposing to make the payment of debt easier, then the Hanna Administration is wrong. If the Hanna Administration is right, then Lincoln was wrong, and Jackson was wrong in insisting on the use of both silver and gold, and Jefferson was wrong in thinking that the standard should rest on both metals.

Can anyone discover any sympathy in the Hanna Administration, with its standing Army of 100,000 men, either with the debtor or the laborer of the land? Can anyone discover any sympathy with the poor in an election machinery that resorts to fraud and crime to prevent the restoration of silver?

Can anyone discover any sympathy for the laborer of the land in the Hanna election machinery that resorted to falsehood and bribery to maintain the accursed practice of government by injunction?

Can anyone discover any sympathy for humanity in an Administration that stood impotent, saying, "There will be no war," and "We will have peace at any price," notwithstanding the fact that the Spanish minister had called our Chief Executive a "low politician," notwithstanding the fact that Spanish treachery had assassinated the Maine and her 266 American citizens; notwith-

standing the fact that murder, starvation, and rape of human beings had been perpetrated for three long years in Cuba, on our very doorstep? Can anyone discover any sympathy for humanity in an Administration which under circumstances like these stood impotent and refused to perform the offices even of a humane society?

Can anyone discover any sympathy in an Administration that prostitutes the Secret Service and intimidates voters, that the "wealthy and well-born" may be relieved of an income tax and their share of the extravagant expenditures of the Government imposed upon the middle classes?

Can anyone discover any sympathy for the poor in an Administration that secures seats in the United States Senate by bribery and fraud?

Can anyone discover any devotion to honesty and national honor in an Administration that buncoed John Sherman out of a seat in the Senate, coaxing him into the Cabinet with oily tongue and sugared lips, telling him it was necessary that he should occupy the high office of Secretary of State in order to round out the dignity of a plutocratic Cabinet, and keeping him there barely long enough to have the Ohio legislature convene and deliver, by the most questionable of methods, a title to his seat in the Senate to the party boss, so that he might be ever present with the party whip to dictate the legislation acceptable and agreeable to the money power, agreeable to the syndicates and trusts who contributed the corruption fund to save the national honor?

But how soon after the seat in the Senate had been transferred for seven years, beyond the reach of Sherman and beyond the reach of the people of Ohio, did all the greatness of the Nestor of the Republican party fade into night and innocuous desuetude, and Day came forth and wiped his political feet upon the prostrate body of John Sherman the Great; and let us hope that all this was done by the high and mighty for the sake of promoting honesty and maintaining the national honor.

Can any one discover any sympathy for the poor old soldier or any liberality to his widow or his orphan in the long and protracted delay in restoring to the pension rolls those who were stricken from it by Hoke Smith, of the Cleveland Administration, if it is true, as was asserted by the Republican party, that the names of those pensioners were improperly and unjustly stricken from the rolls?

Can any one discover liberality or fair treatment to the old soldier on the part of this Administration, when it advises with Clay Evans, Commissioner of Pensions, and approves of his dilatory tactics in discharging a hundred clerks, while there are 635,000 claims for pensions on file and undisposed of? Yea, verily, verily, this party, with the thumbs of its insolence in the armpits of its impudence, arrogating to itself a monopoly of honesty and national honor, now swears undying allegiance to the single gold standard and the yellow metal, although less than two years ago it pledged itself to promote in every possible way the restoration of silver. So devoted is it to anything and everything yellow that in the war with Spain it denied and deprived the soldiers of medicines, physicians, nurses, and food that they might have the honor and glory of dying of yellow fever. With that everlasting loyalty to everything yellow, they are determined that the 635,000 pension claims shall turn yellow in the dusty files before they shall receive the attention of the high and mighty.

Can anyone believe that the national Administration is devoted to national honor, when the boys in our fever-stricken camps were nauseated with embalmed beef, and neglected even unto death for the want of nurses, and murdered by the ignorance and incompetency of horse doctors?

Can anyone believe that our national Administration was in earnest to conquer the Spaniards within the time that 75,000,000 people ought to conquer 17,000,000? If so, why were the cities, towns, and counties not drawn upon for the men sound in body and sound in mind surviving the civil war in the North and South, that they with their experience might take the places of command in the line, and the places of administration in the Quartermaster, Commissary, and Medical Departments, instead of taking the young and inexperienced and unknown sons and dudes, who had nothing to recommend them except social and political pull? When you want a house built, why not find a carpenter? When you want a coat made, you do not go to a shoemaker. When you want to go to war, you want warriors, not dudes and nincompoops. When you want to go to war, you should remember that Napoleon said, "The great commander will never forget that armies have bellies." And when you want to go to war, our Chief Executive ought to remember that you need pure food and competent physicians, not tainted meat, nor medical students, nor Huidekopers.

The people, groaning under taxes unnecessarily large, had filled their Treasury full of funds that the Administration might avail itself of the best and the ablest in the land. But in our own home country, not in the land of a foreign foe, in camps at the very doors of our cities, at the very centers of our great railway systems, we found our young manhood suffering disease and death,

with a loss almost tenfold greater than was suffered in the face of Spanish Mausers. With all these millions piled up in the Treasury, and with all these facilities at hand, the negligence and incompetency and unfitness of the political appointees was so apparent and flagrant that throughout the land the ministers and fathers of the great churches found it necessary to use the pulpit to sound the alarm. Great journals that had promoted the election of this Administration published matter enough to fill volumes, recounting the misery and the miserable mismanagement in the Army, and yet as a result of it we have seen nothing except that the Secretary of War has called the newspapers "sewers," and the Attorney-General has called the ministers "buzzards," and the President of the United States has summoned a whitewash commission to temporize until the public mind may be diverted to some other subject in this age of electricity and lightning changes.

Can anyone believe that the Administration is sincere in its devotion to the national honor and to the interests of the poor, when it took into the Cabinet as Attorney-General a man who was governor of New Jersey, the home and stronghold of those pirates known as trusts and syndicates, who, like the pirates of old, day and night scanned the seas to loot and plunder every craft and vessel that happened to be too weak to cope with them?

Can anyone believe that this Attorney-General is devoted to the national honor, when he too remains in innocuous desuetude week in and week out, month in and month out, seeing the daily press announce the formation of as many as six trusts in a single day. For instance, on the 21st of December, 1898, the New York Commercial announced the "canned goods trust," the "corset trust," the "spool silk trust," the "strawboard trust," the "cedar shingle trust," the "flint bottle trust," and on the same page of the same paper it was announced that a seventh trust was in progress for the consolidation of all the lead companies of the United States.

Is it possible that the Attorney-General remains inactive and impotent without the knowledge of the Administration? Does anyone suppose that if Andrew Jackson were President of these United States, the trusts would go on fattening and the Attorney-General would go on sleeping? Possibly the Chief Executive has been so busy decorating the graves of the Southern dead that he has forgotten the needs and wants of the living in every section of the country. Possibly the Chief Executive has been so busy distributing the soldiers in and about close districts for the purpose of controlling the Congressional elections that he has overlooked the fact that his bosom friend and political companion, Mr. Taylor, of Knowles, Taylor & Knowles, of East Liverpool, has been made president of the pottery trust.

Is it unfair to ask whether these presidents of the trusts are chosen from among the men who have been the financial and political supporters of this Administration? Is it unfair to test and measure these men by the principles that actuated Andrew Jackson and made his memory immortal? Is it unfair to ask the Chief Executive why he sent a silver commission scouring Europe, with his close personal and political friend, Senator WOLCOTT, at the head, seeking, for the first time in history, the consent of Europe that we may govern our own affairs, pretending to be in search of some friendly word for the restoration of silver, and at the very same time having his Secretary of the Treasury, Mr. Gage, asking Congress to fix more firmly the single gold standard upon the country? Is it unfair to ask of the Chief Executive whether there was ever more "glaring inconsistency?" Is it unfair to test this Administration by the same language that the present Chief Executive used at a Toledo banquet with reference to Grover Cleveland, when he said:

During all his years at the head of the Government he was dishonoring one of our precious metals, one of our own great products. He was determined to contract the circulating medium and demonetize one of the coins of commerce, limit the volume of money among the people, make money scarce and therefore dear. He would have increased the value of money and diminished the value of everything else—money the master, everything else its servant. He was not thinking of "the poor" then. He had left "their side." He was not standing forth in their defense. Cheap coats, cheap labor, and dear money; the sponsor and promoter of these, professing to stand guard over the welfare of the poor and lowly! Was there ever more "glaring inconsistency" or reckless assumption?

For twenty years our Chief Executive had been the avowed friend of silver. In the summer of 1896 he, like myself, had a miraculous conversion. He changed without an explanation from silver to gold. I changed from gold to silver, and have ever since been talking all day and all night, according to the plutocratic press, explaining to audiences why I changed. William McKinley voted for free coinage. He voted for the Bland-Allison Act. He voted for the Sherman Act. He abused Grover Cleveland for increasing the value of money and diminishing the value of everything else, and charged him with "glaring inconsistency" and presumption and with having left the side of the poor and the lowly.

But there came a time when there was a Presidential nomination to be bartered away, and he changed his mind, and like Grover Cleveland and John G. Carlisle, he left the side of the poor

and went to the side of the "wealthy and well-born." He left the school of Lincoln, that would make the payment of debt easier, and became the champion of bonds and bondholders. Like Daniel at the feast of Belshazzar, he interpreted the signs of the times, and they put a chain of gold about his neck and they clothed him with the scarlet of the Presidential office, and they made a proclamation concerning him that he should be the third ruler in the kingdom and MARK HANNA should be the second and J. Pierpont Morgan should be Belshazzar the First. Oh, how long, how long must we wait until the influence of Belshazzar the king shall be slain by the ballots of American industry, integrity, intelligence, and independence?

More recently we have witnessed a campaign for renomination, begun at Omaha, favoring expansion and an open door, by the same William McKinley who stood as the high protectionist of the protectionists when in Congress. And still more recently we have observed the same William McKinley proposing to decorate the graves of the Confederate dead, and boasting of a reunited country, when every fair-minded, public-spirited man in the North and in the South has known that we have been a reunited country ever since the time when President Hayes made his visit to the South. And particularly has this been so since the days of the Garfield and Hancock campaign, when the Southern States cast their solid vote for Winfield Scott Hancock, a Union general, for the Presidency of the United States.

No true American citizen, except for the basest of partisan purposes, has dared to intimate that the people of the South were not ready to fight any foreign foe at any time since 1880. The people of the South did not wait for the visit of the Chief Executive to Atlanta to show their loyalty to the Union. With Ensign Bagley, Lieutenant Hobson, General WHEELER, and Admiral Schley carrying the Stars and Stripes through the thickest of the fight and baptizing Old Glory with heroic memories, there is no propriety in any one man, who had to be driven into the war with Spain, claiming any credit for a reunited country.

While we are mentioning the subject of the South, it may not be amiss to recall the fact that the present Chief Executive, when a member of Congress, voted for the infamous Lodge force bill, and did all in his power for its final passage. Nor will it be forgotten that he permitted the manufacturers of the North to write schedules in a tariff bill ruinous to the agricultural interests of the South. I quote again the language of the present Chief Executive at the Toledo banquet, scoring Grover Cleveland in these words: "Was there ever more glaring inconsistency or reckless assumption?" And yet, in the face of all these inconsistencies, in the face of all these changes, in the face of all these policies, like the ways of the Lord, past finding out, we are admonished by the cuckoos and flunkies to stand by the king! To stand by the President! But in the memory of the great Presidents, I ask, when are we to stand by the President, and where are we to stand by the President, and what assurance have we that the President has taken any stand on any subject?

I had supposed when I read the history of the French Revolution that the breed of cuckoos and flunkies had been blotted from the earth forever. I had supposed that the guillotine had cut their empty heads from their cringing bodies and dropped them into leather bags, to be forgotten and nevermore to be reproduced. Two hundred and seventy-five years ago the best men and women on the face of the earth left Europe and ventured out upon 3,000 miles of stormy seas and confronted the hardships and horrors of 3,000 miles of forest and savagery rather than remain in an accursed land of court flunkies and sycophants. They had learned to detest and abhor the cowards who stood in the streets before the palaces of the kings, crying, "The king! The king! Long live the king! The king can do no wrong!" And while the cuckoos sang this song, Henry VIII sat on the throne divorcing and murdering wife after wife to gratify his sensuality and lust.

While the flunkies were crying aloud, "Stand by the king! the king can do no wrong!" brothers, calling their sisters "witches," put them to death, while the king sat on the throne and smiled on the scene. While the cuckoos and flunkies joined in the chorus, "The king! the king! stand by the king! long live the king! the king can do no wrong!" neighbors nailed their neighbors to the stake and burned them to death for opinion's sake, and the king sat on the throne and smiled on the scene. Away! away with catering, cringing cowards! America should be and shall be the home of free thought, free speech, and free men.

I repeat it, can we intrust an army of a hundred thousand men to such an Administration?

Mr. LINNEY. The gentleman speaks of the danger of a standing army. I would like to ask his opinion upon this question. Under our Constitution the President is made Commander in Chief of the Army; how, then, can there be any danger, when the House and the Senate are two lynx-eyed bodies to watch it and to arraign him, and to even impeach him, should he turn tyrant and attempt to use the power which the gentleman says is dangerous?

Mr. BROMWELL. May I ask the gentleman a question?

Mr. LENTZ. One at a time; I can not answer both at once. I want to say that you and I and the country know that the Administration is to-day violating the distinct, specific order that the Cubans "are and of right ought to be free," and your majority side has not got the courage, except one man who spoke this afternoon, to protest against the violation of that resolution and the prostitution of that order made by the people's Congress.

Mr. LINNEY. That, I respectfully submit, is not an answer to my question.

Mr. LENTZ. Well, I do not yield my time any further. What does the gentleman from Ohio wish to ask?

Mr. BROMWELL. If my colleague on the committee is so fearful of the usurpation of power by the President of the United States, or the present occupant of the White House, how does he account for the fact that with the authority to hold the entire volunteer forces and to increase the Regular Army, as he might have done, to the full limit, nevertheless he has discharged a large portion of the volunteer force and has never recruited the Regular Army to its full strength? How does the gentleman account for that, if the President has that lust for power which the gentleman from Ohio says he has?

Mr. LENTZ. I want to answer the question by saying that an order was made, No. 40, directing the men to be enlisted under the statute that was passed last spring; that is, that the men who were enlisted in the Regular Army then should have the right of discharge when the war was over. That order was countermanded by order No. 173 last October notifying recruits that if they now enlisted in the Regular Army it was not under order No. 40.

Mr. HULL. Will the gentleman allow me an interruption right there?

Mr. LENTZ. Certainly.

Mr. HULL. Would not the last order apply under the law of the maintenance of the Regular Army to the maximum of 26,000 men?

Mr. LENTZ. I say it would not, because we have got 55,000 in the Regular Army now and still 73,000 in the Volunteer Army.

Mr. HULL. I know my colleague on the committee does not want to misrepresent. Is it not true that the number enlisted under the law providing that they shall be mustered out on the conclusion of peace has now reduced the Regular Army below 23,000, if that order were carried out without further enlistment?

Mr. LENTZ. I do not know anything of the kind, and I do not think any gentleman on the floor of the House has any figures from the Department to show that it would be below 23,000. There is not a man on the floor of the House that can say how many volunteers we have got in the Regular Army under Order No. 173, and there is not a man that could say how many there are now in the Regular Army that would not care to be discharged to-morrow if we declared peace. I say we have about 55,000 or 57,000 men in the Regular Army, and we have since the 26th of October had an order countermanding that order, known as No. 40, which provided that the men could be discharged as soon as war was over.

Mr. STEWART of New Jersey. Will the gentleman permit me to interrupt him right here?

Mr. LENTZ. Yes, for a question.

Mr. STEWART of New Jersey. The gentleman spoke about the sleepy Attorney-General. Now, the Attorney-General comes from my native city, and I am therefore interested in the statement. Does not the gentleman from Ohio know that the Attorney-General is now busy foreclosing large mortgages against the Pacific Railroad Company?

Mr. LENTZ. I know this: He is busy doing anything else in the world rather than disturb a trust.

Mr. HULL rose.

Mr. LENTZ. Now, I do not propose to use up the time of other members. I am going to answer this question, and I can not answer any more, for the reason that I am now, since my hour is up, using my colleague's time, and it is not fair for me to take it from him.

Mr. HULL. I want to ask the gentleman one more question. I have tried to keep out of his remarks—

Mr. LENTZ. There will be ample time to-morrow. I am trespassing on my colleague's time. I do not care whether the Attorney-General is busy foreclosing mortgages. He has seen fit to allow the serpent to go on coiling itself around the industries of this country, which is much worse than to allow a miserable little mortgage on the Pacific Railroad to go without foreclosure.

Mr. STEWART of New Jersey. Will not the gentleman from Ohio be a little more specific in reference to the serpent?

Mr. LENTZ. I say that the gigantic trusts of the country are serpents, and I think it rather late in the day for the gentleman from New Jersey to ask what trust is a serpent.

Mr. LANDIS. Will the gentleman from Ohio permit me a question?

Mr. LENTZ. No; I decline to yield. I want to close my remarks. I am not using my own time; I am trespassing on my colleague's time. Now, I want to say that there is not a man here

that has to be told what a pernicious influence a trust is. I know that the men who have been elected by the means of large and mammoth contributions of the trusts are in favor of them and their methods.

I say that the syndicates and trusts of this country are like the pirates of old, looting and plundering every craft that happens to be weaker than themselves. I say we have an Attorney-General who comes from the home of the trusts. Six trusts were announced on the 21st of December last, and not an action against any of them, despite the decision of the Supreme Court in the case of the railway trust. I say that in addition to that there are other things which show that this Administration is asleep. You advertise yourselves as the champions of the pensioner; yet you are delaying pension cases until the Grand Army in its annual meeting last September said you were worse than Hoke Smith in your administration of that Department.

Mr. DOCKERY. There has been but one pension meeting of this House during this entire session of Congress.

Mr. LENTZ. The gentleman from Missouri says there has been but one pension meeting so far during this entire session. I had not noticed the fact. But let us give them due credit. They have been ready enough to pay claims of the Cramps or John Roach's estate. When rich claimants ask it, they can easily get a hearing.

Oh, my friends, the time has come when the mask might just as well be torn off and the whole truth told. An Administration like this must be at war with every member of the Cabinet. An Administration like this must have as many inconsistencies as there are members on the majority side of this House. If you are seeking for the position occupied by the Administration on any question, you can not put your finger anywhere and say, "It is there." Talk about the policy of the Administration on the Philippine question to-day! Why, sir, we had a well-defined policy three weeks ago in Georgia. It was, "Who will haul down the flag?" Now, to-day, we do not know whether they are going to haul it up or down. "Now you see it, and now you don't." It looks like a three-card monte game.

Mr. SHATTUC. Will the gentleman allow me to ask him a question?

Mr. LENTZ. There is no one to whom I would so willingly yield for a question as to my friend from Ohio [Mr. SHATTUC]; but I must apply to him the rule I have applied to all others. I am using my friend's time, and I must not use it to answer questions.

I want to read for the benefit of those who may be fearful, as my friend on the other side appears to be, in regard to the last days of the Republic—I want to read a tribute to the flag which I think fits the case to-day. I am very glad to know that the Administration is a mouse. As soon as it comes out of the little hole in the baseboard and some Democrat says "Scat!" it runs back again.

I said to Mr. Bryan two weeks ago, "If you do not look out, the Administration will go back into its hole on this Philippine business," and here they are slipping in already. I believe the mice are getting back under the baseboard. I can not come to any other conclusion from what has been said within the last two days than that you are afraid to say whether or not you are going to take the Philippine Islands by force. You are afraid to say how much force you are going to perpetrate on Cuba—on men who have had patriotism and honor enough to fight to the death for liberty. I say the people of Cuba, or any other land, who can endure what they have endured for liberty, are as capable of establishing a free government for themselves as we are for them; and I would rather have the government in the Philippines that those people would establish for themselves than a government that your Administration will establish for them after you have carried your Wall-street schemes and your Kentucky whisky down there to civilize them. [Laughter and applause.]

Now, I want to read, in closing, what Dr. Howard S. Taylor, of Chicago, has said under the title "The creed of the flag," which, I think, you ought to hear, and I believe that you and all members present will join in receiving and applauding it:

"Who will haul down the flag?" quoth he,
And no man an answer gave.
But who will haul up the flag, ask we,
Where the flag ought never wave?
Over an arrogant mission of spoil
That takes, as a matter of course,
A subject race and a conquered soil
And a government based on force!
Answer us!—answer us! true and fair,
Who will haul up Old Glory there?

"Who will haul down the flag?" quoth he.
Nay, think how it first went up
When War astride of the land and sea
Poured wrath from his brimming cup;
When brave men died and left in bequest
One pledge for the great and the small;
Not stars for a few and stripes for the rest,
But the flag of our country for all!
Answer us, truly and plainly, we pray:
Was that not its meaning in Washington's day?

From Washington's day to Jackson's time,
 From Yorktown to New Orleans
 Did any man follow that flag sublime
 And doubt what the symbol means?
 Free self-ruled States, each one as a star
 Fixed fast in a field of blue,
 Fenced in by the blood-red stripes of war
 To preserve them for me and you!
 Answer us, now, do you dare to drag
 The old faith out of our fathers' flag?

"Who will haul down the flag?" quoth he.
 Why, no hand of flesh and bone
 Can lower that flag, on land or sea,
 Till the faith of the flag is gone!
 Till a few shall rule and cunningly keep
 The hunting to garnish their greed;
 Till dollars are dear and humanity cheap
 By the force of a Tory creed!
 Then will it fall!—but answer us, clear,
 Do you fancy that hour is drawing near?

Did our Liberty Bell ring in vain?
 Was our Declaration a lie?
 Must we turn to the Old World again,
 With the penitent prodigal's cry?
 Must we arm us and march in the van
 Of Europe's barbaric parade,
 And boom out a gunpowder gospel to man
 To open a pathway for trade?
 Shall we strut through the world and bluster and brag
 With the dollar mark stamped on the brave old flag?

Nay, haul up the flag—raise it high—
 Not yet is its spirit spent!
 Let it sing in the wind and the sky
 The truth that it always meant!
 Let it sing of the birthright of man,
 Of progress that never can lag,
 Let it sing that trade may go where it can
 But liberty follows the flag!
 Yea, haul up Old Glory—but, comrades, take heed
 That no man shall part the old flag from the creed!

[Prolonged applause.]

The Nicaragua Canal.

SPEECH

OF

HON. DONELSON CAFFERY,
 OF LOUISIANA.

IN THE SENATE OF THE UNITED STATES,

Tuesday, December 20, 1898, Thursday, January 5, and Monday,
 January 9, 1899.

The Senate having under consideration the bill (S. 4702) to amend the act entitled "An act to incorporate the Maritime Canal Company of Nicaragua," approved February 20, 1898, and to aid in the construction of the Nicaragua Canal—

Mr. CAFFERY said:

Mr. PRESIDENT: The scheme of connecting the Atlantic and Pacific oceans by an interoceanic canal is a grand and a magnificent one. It appeals as well to the imagination as to the judgment; and any scheme of the grandeur and inviting features of this will always enlist in its behalf those who are eager and anxious to take advantage of its alluring features in order to pave an easy road to the public Treasury.

And, Mr. President, the judgment of the ordinary man is easily diverted from the merits of the method proposed to execute the scheme by the very grandeur of the scheme itself. So in the present bill it is seen that a corporation chartered by the Congress of the United States, composed, I have no doubt, of very estimable gentlemen, is endeavoring and has been endeavoring to procure the aid of the United States in the execution of their project of an interoceanic canal across the Isthmus. The project is an ancient one. It is said it has been dreamed of for three hundred years. Philosophers and statesmen and engineers have had visions in their sleep concerning this canal. It is said that when a certain fairy visits a slumbering attorney he straightway dreams of fees. When that same fairy visits the ordinary American promoter, he straightway dreams of an easy access to the Federal Treasury.

I have no aspersions to make upon the motives of anybody in or out of Congress advocating this scheme. I deprecate the turn the debate has taken in the way of covert assault upon the motives of those who oppose the scheme as propounded to us by the Maritime Canal Company. I intend to discuss this matter with all the calmness and all the impartiality that I possess, and it is a subject which requires calmness and impartiality. It is not one that ought to invite or to claim any partisan support. It is one that ought to stand upon its own merits, irrespective of any partisan or interested motive.

Now, Mr. President, I shall argue that the present bill violates the Clayton-Bulwer treaty in its essential and vital features. I shall argue that it violates the very concession under which the Maritime Canal Company proposes to construct the canal. I shall contend, further, that the scheme itself is of doubtful constitutionality, and I shall contend that it proposes a new and extraordinary

method of construction, unknown heretofore in the construction of any public works in the United States.

Mr. President, the first section of the bill contains a provision which in any State of the United States would strike the charter with nullity. It is as follows:

That the capital stock of the Maritime Canal Company of Nicaragua shall consist of 1,000,000 shares of \$100 each, and shall be nonassessable, and no more than this number of shares shall be issued except by the consent of Congress.

Here is a scheme which in the very first section embodies a provision whereby the company is to be built up upon wind. The shares of stock are nonassessable, and that provision would not stand a moment's scrutiny in any court in any State in the United States.

How are stock companies to derive their capital unless by subscriptions to the stock and a compulsory payment of the shares provided for in the charter? Here are \$100,000,000 of stock issued, nonassessable, and but for the intervening arm of the United States, which is invoked in the subsequent sections of the bill, there would not be one single dollar in the hands of the Maritime Canal Company, and there would be no means of getting any capital, no means of enforcing any payment by the compulsory process of law.

The second section of the bill I pass by as having no material bearing on the discussion of the measure.

The third section of the bill embodies a proposition to the United States by the Maritime Canal Company to the effect that it will issue to the Secretary of the Treasury 700,000 shares of its capital stock, of the par value of \$70,000,000, if the United States will guarantee the payment of a new issue of its bonds for \$100,000,000, payable on July 1, 1926, with 3 per cent interest.

The company agrees to call in and cause to be surrendered to its secretary all its outstanding capital stock except that issued to Nicaragua and Costa Rica, and all its bonds, scrip for bonds, and satisfy and discharge all its cash liabilities and its contracts, or make provision for the cancellation, surrender, and redemption of all such stock, bonds, etc., on condition that there shall be issued to persons to be designated by the company, whose stock is surrendered, 70,000 shares of the new capital stock, of par value of \$100 each, fully paid and nonassessable, and bonds of the company, guaranteed by the United States, to the sum of \$4,500,000, the bonds to be in full payment for the surrender, cancellation of the stock of the old company, its contracts, liabilities, etc., and reimbursement of all expenses incurred in the construction of the canal or incidental thereto.

The modified acceptance by the United States is substantially to give the company \$5,000,000 of the guaranteed bonds of the company in lieu of the bonds and stock asked for by them.

We come now, sir, to the next section, and I will read that, for it is an important section.

SEC. 4. That the Secretary of the Treasury, when he is satisfied that all the stock of the Maritime Canal Company of Nicaragua heretofore subscribed for or issued, except that reserved to the Republics of Nicaragua and Costa Rica, in their respective concessions, has been called in, returned, and canceled, or that satisfactory arrangements have been made for the return or cancellation of said stock, and that all bonds or scrips for bonds issued by said company, and obligations to deliver bonds, have been redeemed, surrendered, or canceled, or that satisfactory arrangements have been made for their redemption and cancellation, and that all contract liabilities of the said company have been discharged, and all contracts and agreements heretofore made by said company, including all contracts with the Nicaragua Canal Construction Company, have been satisfied or canceled, or that provision has been made for the satisfaction and cancellation of said liabilities and contracts, the Secretary of the Treasury shall report the facts to the President of the United States, and with his approval shall, in behalf of the United States, subscribe for 700,000 shares of the capital stock of said company, and said company shall thereupon issue to the said Secretary of the Treasury of the United States 700,000 shares of the capital stock of said company herein provided for, to be deposited with the Treasurer of the United States, which stock shall be issued in consideration of the guaranty by the United States of the bonds of said company hereinafter provided for, and shall be regarded as fully paid and nonassessable. In case of the failure, within three months from the passage of this act, to call in and cancel all of the stock or bonds or any scrip of said company now issued and outstanding, as is herein required, the Secretary of the Treasury shall retain in the Treasury, in lieu of obtaining such cancellation, an amount of the bonds to be issued under this act which shall be equal in amount to the said stock and the bonds and scrip of said company then outstanding, the cancellation of which cannot be procured. Such bonds shall be held by the Secretary of the Treasury and exchanged by him for said old stock and bonds or scrip then outstanding, upon the surrender of the same for cancellation by the holders thereof.

After all this is done, after this modified acceptance of the proposition of the company on the part of the United States, and after the delivery of the 700,000 shares of stock to the United States, then the Maritime Canal Company, in the next succeeding section, goes out of business.

SEC. 5. That when the subscription for the stock, as provided in section 4 of this act, is so made, the offices now held by the directors of the Maritime Canal Company of Nicaragua, except such as represent the States of Nicaragua and Costa Rica, shall become vacant, and said Maritime Canal Company of Nicaragua shall be recognized under this act.

Then provision is made that the board of directors be composed of 11 members, 1 appointed by Nicaragua, 1 appointed by Costa Rica, removable by those States, and 9 appointed by the President of the United States, removable by the President of the United States for cause. Then, in case of a vacancy in the membership of the directors appointed by the President, the vacancy is to be

filled by appointment of the President, by and with the advice and consent of the Senate.

This, to all practical intents and purposes, makes these directors officers of the United States. The original appointees by the President, the first 9 directors, are not required to be confirmed by the Senate, but any vacancy occurring in the ranks of the original 9 is to be filled by the appointment of the President and to be confirmed by the Senate.

The next section simply provides for classifying these directors into three classes and making the directors, in respect of the tenure of their offices, similar to the Senators in this body. The first set is to hold for two, the second for four, and the third for six years, and after the expiration of their respective terms their successors are to be appointed by the President and confirmed by the Senate, and they shall take the oath prescribed for all the executive officers of the United States.

Then the section following this, as a natural sequence, makes provision for the pay of these directors. They are given a compensation of \$5,000 a year, except the president, who is to have \$6,000 per year, and their actual traveling expenses are to be paid. Then follows, in my opinion, quite an important provision, that the directors shall fix the salaries and compensation of all their employees, agents, and managers, including engineers not detailed for duty by the Secretary of War. It will be perceived that this provision leaves it entirely optional with the directors of the company to appoint the number of their agents, and in this particular their discretion is unlimited.

This board, thus constituted, is required to make an annual report on or before the 15th of November of each year; to make a detailed statement of the progress and condition of the work, and a copy of their report is to be laid before Congress by the President in his annual message.

Here I skip the intervening eighth section as of no practical bearing upon a discussion of the bill, it only providing that no dividends upon the stock shall ever be declared by the directors except for net earnings of the company. Then section 9 provides as follows:

SEC. 9. That to secure the means to construct, complete, and equip said canal, and to meet expenditures made on account thereof, the said Maritime Canal Company of Nicaragua, when it is reorganized, is hereby authorized to issue, under its charter as the same is amended by this act, coupon or registered bonds, or both, of the said company, in denominations of not less than \$50 nor more than \$1,000, to an amount not exceeding \$100,000,000, to be dated on the 1st day of July, 1898, to be payable on the 1st day of July, 1926, but redeemable at the pleasure of the United States at any time after the 1st day of July, 1908, at par, with interest at the rate of 3 per cent per annum, payable semiannually on the 1st days of January and July of each year, from the delivery of the bonds to said company by the Secretary of the Treasury from time to time as by this act required: *Provided*, That the President of the United States may at any time suspend the issue of any or all the bonds authorized by this act until Congress, being informed by him of the reasons for such suspension, shall otherwise direct. For the security of the payment of said bonds at maturity and of the interest thereon as the same matures, a lien is hereby declared in favor of the United States of America upon all the property, real, personal, and mixed, and upon all the rights, franchises, easements, privileges, and interests of every description of and belonging to the Maritime Canal Company of Nicaragua, and appurtenant to said canal or connected therewith, whether in action or in possession; and if any default is made at any time in the full payment of the principal of the said bonds as the same falls due, the President of the United States is fully empowered to declare the forfeiture of said property to the United States, without the necessity of a judicial or other ascertainment of such forfeiture, and thereupon the full and complete title to all such property, rights, privileges, easements, or franchises shall vest absolutely in the United States, and the President shall cause the same to be taken into possession for the benefit of the Government.

That, Mr. President, is the most important provision in this bill. That provides the sinews of war. That provides that this company, which is virtually and substantially the United States, may issue its bonds to the amount of \$100,000,000, and the United States have the privilege of indorsing and guaranteeing those bonds. That is a precious privilege given to the United States, and that is the very large grant of authority the United States gives to itself in this matter, for when provision is made in one of these sections that I have read for the departure of the Maritime Canal Company from any connection with, at least, the essential features of this scheme, it only remaining as a company of construction, the United States intervenes, the United States sets aside the Maritime Canal Company, and the United States becomes to all intents and purposes the real corporation.

The name Maritime Canal Company is kept, but the United States is the real party in interest and in power; and this kind permission that the Maritime Canal Company has extended to the United States to indorse its bonds is an act of *felo de se* on the part of the Maritime Canal Company, for it is, to invent a phrase, a canal suicide on its part.

I may have occasion hereafter to refer to some of these sections, but having read these important and material sections, I will now skip to the section which has been lately added to the original bill. It is section 20. That section is as follows:

SEC. 20. That it is hereby declared that the neutrality of the Nicaragua Canal is guaranteed by the United States, as the same is provided for in the concessions made by Nicaragua and Costa Rica, which are the basis of this act, thereby securing its innocent use by all maritime nations, on equal terms as to tolls and all the privileges of navigation, as the same are conceded by

said Republics, and with the reservations therein provided, reserving to Nicaragua and Costa Rica and securing to them the special rights for which they have stipulated in said concessions, respectively; and the good faith of the United States is pledged to this declaration. The Nicaragua Canal being a necessary connection between the eastern and western coast lines of the United States, the right to protect the same against all interruptions, and at all times, is reserved and excepted out of this declaration of the neutrality of said canal and its free use by other nations.

The first part of this section declares that this canal is to be neutral as made so by the concessions from Nicaragua and Costa Rica. These concessions from Nicaragua and Costa Rica throughout their whole extent provide for the absolute neutrality of this canal, with no exceptions whatever. Neutrality is the very breath of the concessions from Nicaragua and Costa Rica. As the section has been construed, the canal is neutral unless in the case of a nation at war with the United States. The distinguished Senator from Alabama stated that in case of war with a foreign nation, this exception of neutrality meant that the war ships of that nation could not go through this canal. Then neutrality is only partial; it is a neutrality dependent upon the will of the United States; it is not an absolute and unqualified neutrality. In that particular, sir, I contend that this bill conflicts with both the Clayton-Bulwer treaty and the concessions.

Mr. MORGAN. Will the Senator from Louisiana permit me? The PRESIDING OFFICER (Mr. PASCO in the chair). Does the Senator from Louisiana yield to the Senator from Alabama?

Mr. CAFFERY. Certainly.

Mr. MORGAN. I desire to call the attention of the Senator from Louisiana to the second clause of the sixth article, which provides:

In general, all vessels may pass through the canal freely, without distinction, exclusion, or preference of persons or nationality, provided they pay the dues and observe the regulations established by the grantee company for the use of the said canal and its dependencies. The transit of foreign troops and vessels of war will be subjected to the prescriptions relating to the same established by treaties between Nicaragua and other powers or by international law. But entrance to the canal will be rigorously prohibited to vessels of war of such powers as may be at war with Nicaragua or with any other of the Central American Republics.

Now, I have inserted in this bill a provision that that shall also apply to the United States for the protection of the neutrality of the canal.

Mr. CAFFERY. Mr. President, I had forgotten that that exception as to neutrality in these concessions was in regard to ships of nations at war with Nicaragua. There is no authority whatever in these concessions for the United States to make exceptions of the passage of ships through this canal in regard to vessels of a nation at war with the United States. Following these concessions, the only exception is in behalf of Nicaragua and Central American Republics. How can my honorable friend from Alabama construe an exception exclusively in favor of Nicaragua and Central America to be in behalf of the United States? That can not be done without an evident and violent departure from these concessions.

So, I say, the whole scope and scheme of these concessions from Nicaragua and Costa Rica are to guarantee the neutrality of this canal to all ships, for, sir, these are two small republics; they have no war marine, they never will have, perhaps; they have no occasion for any, and the exception that is made in their behalf is out of abundance of security and caution to themselves, and not in any way to affect the neutrality of the canal as to the passage of war ships of nations able and competent to carry on maritime war.

Mr. MORGAN. If the Senator will allow me, he is again in error about the second paragraph of this sixth article. It expressly says:

The transit of foreign troops and vessels of war will be subjected to the prescriptions relating to the same established by treaties between Nicaragua and other powers or by international law.

And the Dickinson-Ayon treaty with Nicaragua in 1897 provided for the neutrality of this canal, but provides that the United States and her troops and property and munitions of war and all of that shall pass through this canal without reference to the permission of any other country that may be at war with the United States.

So the exception extends expressly in the concession to the arrangement made by Nicaragua with the United States by treaty, and anterior to the making of this concession are expressly recognized all the obligations of Nicaragua to the United States.

Mr. CAFFERY. What is the clause of the Dickinson-Ayon treaty to which the Senator refers?

Mr. MORGAN. Article 12 and article 15. The whole text there really, articles 12, 13, 14, and 15, will be included in the proper exposition of the subject; but it is clear enough in article 12 and article 15.

Mr. CAFFERY. Mr. President, I fail to see that the paragraph to which the Senator has drawn my attention conflicts at all with any guaranty of neutrality. I am now referring to the concession. I fail to see where the articles of the Dickinson-Ayon treaty militate at all against the neutrality of the canal.

The transit of foreign troops and vessels of war will be subjected to the prescriptions relating to the same established by treaties between Nicaragua and other powers or by international law.

Mr. President, this provides for the transit of ships and troops,

and this transit is to be regulated by whatever treaties exist between Nicaragua and certain powers. In the treaty referred to, the Dickinson-Ayon treaty, the United States have, under its terms, the right to protect the free transit of its people over any canal or railroad that may be made in the territory of New Granada. There may be like treaties with Nicaragua. I am referring to the Ayon treaty.

Mr. MORGAN. I referred to the treaty with Nicaragua.

Mr. CAFFERY. Very well; the treaty with Nicaragua. That is the Ayon-Dickinson treaty.

Mr. MORGAN. But not New Granada.

Mr. CAFFERY. You are correct. I should have said Nicaragua instead of New Granada. I see nothing in article 12 or 13 particularly applicable to this matter, but article 15 I will read.

Mr. MORGAN. Will the Senator read article 14?

Mr. CAFFERY. Yes, sir; I will read them both. I read article 14 first:

The Republic of Nicaragua hereby grants to the United States, and to their citizens and property, the right of transit between the Atlantic and Pacific oceans through the territory of that Republic, on any route of communication, natural or artificial, whether by land or by water, which may now or hereafter exist or be constructed under the authority of Nicaragua, to be used and enjoyed in the same manner and upon equal terms by both Republics and their respective citizens, the Republic of Nicaragua, however, reserving its rights of sovereignty over the same.

So far from that conflicting with neutrality, it is an augmentation of neutrality. The concessions enlarge the right of transit. The neutrality of a canal is the free right to use it under all proper circumstances and at all times in peace or war. How, then, does the permission upon the part of this same Government, granted in 1867, for the free transit of American citizens over any line of communication that may be built over that territory between the Atlantic and the Pacific conflict with the guarantee of neutrality of the canal?

Mr. MORGAN. Will the Senator allow me to suggest that this privilege is not given to the entire world? It is given to the United States and her citizens on terms of perfect equality with the citizens of Nicaragua.

Mr. CAFFERY. Exactly.

Mr. MORGAN. I suppose in time of war the citizens of Nicaragua would have the right to pass across the country without molestation, and in time of war the people of the United States would have the right to pass over that country without molestation. So that when we make this exception in the act we merely confirm the fourteenth article of the treaty, which gives to the people of the United States that privilege in time of war.

Mr. CAFFERY. Mr. President, a right conceded to individual citizens is not a right conceded to a State. The United States would not have, under an authority granted in 1867 by Nicaragua to its citizens for the free transit over any route, water or land, over its territory, any right as a nation to go there with their ships of war and go through any canal.

Mr. MORGAN. But the Senator omits to notice the fact that article 14 provides "that the Republic of Nicaragua hereby grants to the United States and to their citizens and property" these rights.

Mr. CAFFERY. Yes, sir. I now see it is granted to the United States—the right of transit between the Atlantic and Pacific oceans through the territory of that Republic; and to that I say there is nothing in the concession that conflicts with the treaty of 1867 between the United States and Nicaragua.

Mr. President, I do not see how a right granted to the United States in 1867 for the free transit through a canal in peace and war over the territory of Nicaragua would conflict with the concession in 1889—which I believe is the date of the original concession—granting to the whole world the same privilege. Admit, sir, that in 1867 the United States were granted as a nation the right to move its military forces over the territory of Nicaragua in a ship canal. Does that conflict with a right granted in a concession in 1889 that all the world should enjoy the same right?

Mr. MORGAN. That is not the concession.

Mr. CAFFERY. It does not make any difference. The concession, then, is not violative at all of the treaty of 1867 with the United States. It only extends the provisions of that treaty to the world in guaranteeing the neutrality of the canal. There is absolutely no conflict anywhere. There is no peculiar privilege granted to the United States in the treaty of 1867 which could not be likewise granted to any other nation or to all nations; and in the concession of 1889—I believe that is the date of the original concession to the Maritime Canal Association—this right is extended, so far as the ship canal is concerned, to all the ships of the world.

Now, then, I say, coming back to the original proposition, that if in this charter the Congress of the United States embodies a provision antagonistic to the concessions in regard to the neutrality of the canal the provision is null, is void; it conflicts with the concession, and is a proper ground for the forfeiture of the concession.

Mr. MORGAN. The Senator seems not to have noticed that

article 15, which is an agreement on the part of the United States predicated upon the previous concessions in articles 14, 13, 12, etc., provides:

ARTICLE XV.

The United States hereby agree to extend their protection to all such routes of communication as aforesaid and to guarantee the neutrality and innocent use of the same. They also agree to employ their influence with other nations to induce them to guarantee such neutrality and protection.

Mr. CAFFERY. Yes, sir. When this neutrality is guaranteed by the concessions, when the free transit is granted in the treaty of 1867 to the troops and citizens of the United States, how are these grants impugned or in any wise impeached by an obligation on the part of the United States to maintain that right and to protect that neutrality? The United States only burdens herself in this article read by the Senator from Alabama to protect this guarantee of neutrality, to enforce this guarantee of neutrality; and now, when the United States engages to enforce and protect the neutrality of any route over the isthmus, how can the Senator from Alabama say that the United States can monopolize the canal?

Mr. MORGAN. I did not say that.

Mr. CAFFERY. How can the Senator from Alabama say that in case of war with any nation upon earth, after this guarantee of neutrality, the United States can prevent the passage of a ship of that nation through the canal? There is the predicament, sir.

Here the United States, in 1867, agreed to the articles of the treaty read by the Senator from Alabama and guaranteed the neutrality of the canal. There are privileges granted in this concession to citizens of the United States of a valuable character—the free right of transit at any time over the Isthmus; but these rights granted to citizens of the United States and the rights granted to the United States and this neutrality which the United States undertakes to enforce are in no respect and by no manner of means in conflict with the concessions from Nicaragua and Costa Rica declaring the absolute neutrality of this great waterway.

In every provision of these concessions from Nicaragua—and while I am on the subject I will speak of them to some extent—the most scrupulous care is taken to preserve the absolute neutrality of the canal. The most scrupulous care is taken lest the control of the canal get into the hands of a foreign power, and as indicative of that intention, there is a provision prescribing absolutely for the forfeiture of the concession should the same be transferred to a foreign power. It was with a view, mainly, to preserve the absolute neutrality of the canal that Nicaragua guarded herself so clearly and so firmly in these concessions.

Mr. MASON. Mr. President—

The PRESIDING OFFICER (Mr. PASCO in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. CAFFERY. Certainly.

Mr. MASON. I do not wish to interrupt the Senator from Louisiana upon the matter he is discussing, but I desire to inquire for my own information whether there has been any time fixed for a vote upon the motion of the Senator to postpone the consideration of the pending bill; whether he expects to vote this afternoon?

Mr. CAFFERY. No, sir; I do not expect to vote this afternoon, and I know there has been no time fixed.

Mr. MASON. I hope the Senator will pardon me. I wanted the information.

Mr. CAFFERY. Mr. President, the Clayton-Bulwer treaty, which I contend is violated by this bill, has produced more discussion than any other treaty with a foreign government with which we have diplomatic relations. The bone of contention between the United States and Great Britain was as to whether the treaty had a present or a prospective application. The obligation on the part of signatory powers, that neither would occupy, fortify, colonize, or assume dominion over any part of Central America, was subject to two opposite and irreconcilable constructions. Great Britain contended that under this treaty she could maintain all her then possessions in Central America, and could do as she pleased with them, and that the prohibition of occupying or fortifying or colonizing or assuming dominion over that country applied to future acquisitions and had no bearing or effect upon the then possessions of the British Crown.

The United States took precisely the opposite view, and held that Great Britain had to move out of South America; that the language, it is true, admitted of a double construction; but that considering that the United States had no territory in Central America, and that Great Britain had a great deal, it was absolutely unjust and unfair and not at all to be entertained that the United States would put herself at such disadvantage with Great Britain.

In all that controversy, which at times went to the verge of war, there not only was no attack upon the clause in the Clayton-Bulwer treaty relating to the construction of an interoceanic canal and the neutrality of the same, but the United States refused, after invitation by Great Britain, to annul the treaty. It was always conceded that the part of the treaty which guaranteed the

neutrality of an interoceanic canal through the Isthmus of Darien was valid and good, expedient and wise. It was never contended that the objectionable features of the Clayton-Bulwer treaty related to the construction of an interoceanic canal; and it is a little singular, Mr. President, that a controversy which engaged the best ability and the very best patriotism of the Senate should not have touched upon what has been since called an objectionable feature—the guaranty by the respective signatory powers of the neutrality of the special interoceanic canal, or any interoceanic canal that should be built.

Mr. President, it has been alleged in the reports—in one report at least—by the committee having in charge a bill similar to the pending one, that that treaty was obsolete. Does a treaty ever become obsolete? A treaty is the supreme law of the land. Do laws become obsolete? They may for a while remain unused, unexecuted, but let the case arise to be covered by the law, and is it then obsolete? Does it follow that because no canal has been constructed from 1853 to date that this supreme law is obsolete?

The treaty between Great Britain and the United States is the law of the land, and it is there now, and we can not violate it with impunity. We can not set aside at our caprice and will a solemn contract entered into with a foreign nation by the United States. We can not say that a contract is not binding when it is inconvenient to be bound by its terms. To say that is to cast the national honor to the winds and to repudiate the national faith. The United States has ever been scrupulous in maintaining the sanctity of its obligations, and it can not now be said that the United States can with impunity set aside the Clayton-Bulwer treaty because it does not comport with its pleasure or with its supposed interest to maintain it.

I propose to read what American statesmen have said in regard to the Clayton-Bulwer treaty. I will avail myself of the researches and industry of a most able, eloquent, and patriotic gentleman, formerly a member of this body, Senator Vilas, of Wisconsin, who has gone very far back to discover the first utterances of official character upon the matter of the construction of an interoceanic canal. I will read from the RECORD, second session, Fifty-fourth Congress, page 1475, a resolution introduced in the Senate on the 3d of March, 1835, in executive session, as follows:

Resolved, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the governments of other nations, and particularly with the Governments of Central America and New Granada, for the purpose of effectually protecting, by suitable treaty stipulations with them, such individuals or companies as may undertake to open a communication between the Atlantic and Pacific oceans by the construction of a ship canal across the isthmus which connects North and South America, and of securing forever, by such stipulations, the free and equal right of navigating such canal to all such nations, on the payment of such reasonable tolls as may be established to compensate the capitalists who may engage in such undertaking and complete the work.

In 1839 the subject came up again in Congress, and I read the resolution reported in the House of Representatives by Mr. Mercer, from the Committee on Roads and Canals:

Resolved, That the President of the United States be requested to consider the expediency of opening or continuing negotiations with the governments of other nations, and particularly with those the territorial jurisdiction of which comprehends the Isthmus of Panama, and to which the United States have accredited ministers or agents, for the purpose of ascertaining the practicability of effecting a communication between the Atlantic and Pacific oceans by the construction of a ship canal across the isthmus, and of securing forever, by suitable treaty stipulations, the free and equal right of navigating such canal to all nations, on the payment of reasonable tolls.

Now, sir, at that early day had the idea obtained of neutralizing an interoceanic canal? That is the first official declaration upon this subject, and we see at the very inception of the scheme the United States was authorized to enter into treaty negotiations with all nations for the purpose of securing the construction of an interoceanic canal and to neutralize the same to all nations assisting in the work. That was the official beginning of the idea of neutrality.

Again, another resolution appears, introduced in 1839, which is found on the same page, as follows:

Resolved, That the President of the United States be requested to consider the expediency of opening or continuing negotiations with the governments of other nations, and particularly with those the territorial jurisdiction of which comprehends the Isthmus of Panama, and to which the United States have accredited ministers or agents, for the purpose of ascertaining the practicability of effecting a communication between the Atlantic and Pacific oceans by the construction of a ship canal across the isthmus, and of securing forever, by suitable treaty stipulations, the free and equal right of navigating such canal to all nations, on the payment of reasonable tolls.

So that at that period the United States had no design of a monopoly of an interoceanic canal. The central idea of these resolutions was the neutrality of the canal, and I do not know but that they were wise. There are a very great many considerations why a canal connecting these two great oceans ought to be free. The preponderating weight of opinion in the United States now appears to be on the side of a canal under the exclusive control of the United States, but I cite this authority to show that the Clayton-Bulwer treaty of 1853 guaranteeing by the United States and Great Britain the neutrality of the canal was no novel idea at all.

Now, Mr. President, I will read from Wharton's Digest, Volume 2, section 150, in a note of Mr. Blaine, Secretary of State, to Mr. Lowell, November 29, 1881. I will ask the Secretary to read, commencing at page 215, down to the middle of page 219.

The PRESIDING OFFICER. In the absence of objection, the matter referred to will be read at the desk.

The Secretary read as follows:

These views are more explicitly and formally repeated in a note addressed by Secretary Cass to Lord Napier on the 29th of May, 1857. He says: "The Clayton-Bulwer treaty, concluded in the hope that it would put an end to the differences which had arisen between the United States and Great Britain concerning Central American affairs, had been rendered inoperative in some of its most essential provisions by the different constructions which had been reciprocally given to it by the parties. And little is hazarded in saying that had the interpretation since put upon the treaty by the British Government, and yet maintained, been anticipated, it would not have been negotiated under the instructions of any Executive of the United States nor ratified by the branch of the Government intrusted with the power of ratification."

The publicity of these statements, and the strong feeling which then prevailed in all quarters that the Clayton-Bulwer convention was inadequate to reconcile the opposite views of Great Britain and the United States toward Central America, led to a very decided conviction that the treaty should be abrogated. Lord Napier reflected this growing impression when, on the 23d of June, 1857, he wrote to Lord Clarendon that "it is probable that if the pending discussion regarding Central America be not closed during the present summer an attempt will be made in the next session of Congress to set aside the Clayton-Bulwer treaty." There can be no doubt of the views of the President and Cabinet on this matter.

Before this tendency could, however, find its expression in any official act, a movement on the part of Her Majesty's Government placed the whole matter in a new aspect.

[Here follows a summary of Sir W. Ouseley's action, substantially the same as that given above by Mr. Cass.]

The situation, then, at the close of 1857 presented a triple deadlock.

The United States had agreed not to move toward the abrogation of the treaty until it could be seen what interpretation of its provisions would result from Sir William Ouseley's mission. Sir William had received positive instructions not to move until the United States should decide whether to abrogate the treaty or not, and Lord Napier was forbidden to move until the United States should make formal answer to the proposal for arbitration. The instructions of Lord Clarendon to Lord Napier, January 22, 1858, contained these words:

"We are decidedly of opinion that it would neither be consistent with our dignity or our interest to make any proposal to the United States Government until we have received a formal answer to our former offer of arbitration. In event of the offer being refused, it will be a great and hardly justifiable proof of the spirit of conciliation by which we are animated if we then show ourselves disposed to abrogate the Clayton-Bulwer treaty; but we must not be in too great haste."

In order, apparently, to break this deadlock, Lord Napier wrote to General Cass, February 17, 1858, that "something in the nature of an alternative was thus offered to the American Cabinet. Should the expedient of arbitration be adopted, a great portion of Sir William Ouseley's duty would be transferred to other agencies. Should arbitration be declined, it was hoped that the efforts of Her Majesty's envoy would result in a settlement agreeable to the United States, inasmuch as in essential points it would carry the treaty of 1850 into operation in a manner practically conformable to the American interpretation of that instrument."

On the 10th of March, 1858, the Earl of Malmesbury, who had succeeded Lord Clarendon in the foreign office, instructed Lord Napier that, until an answer was returned to the proposal for arbitration, "no further steps can be taken by Her Majesty's Government with that of the United States in regard to that matter;" and, further, that "when this point is cleared up, Her Majesty's Government, supposing that the Government of the United States decline arbitration, will have to determine whether they should originate a proposal for the abrogation of the Clayton-Bulwer treaty or adopt any other course which the circumstances at the moment may seem to recommend."

It appears, however, that the proposal to abrogate the treaty which Lord Malmesbury reserved the right to originate had already been communicated to the Government of the United States by Lord Napier, under instructions from Lord Clarendon. In a dispatch dated March 22, 1858, Lord Napier wrote:

"The Earl of Clarendon authorized me to inform General Cass that Her Majesty's Government would not decline the consideration of a proposal for the abrogation of the treaty by mutual consent. I have, accordingly, on two occasions, informed General Cass that if the Government of the United States be still of the same mind, and continue to desire the abrogation of the treaty of 1850, it would be agreeable to Her Majesty's Government that they should insert a proposal to that effect in their reply to my note respecting arbitration."

Lord Napier further reports in detail the conversations had with General Cass as to the most proper method of effecting such abrogation, if agreed to. In reply to this dispatch of Lord Napier, the Earl of Malmesbury instructed him, April 8, 1858, that his action was approved, and that he should confine himself to pressing for an answer to his proposal for arbitration. His lordship added these significant words:

"Her Majesty's Government, if the initiative is still left to them by the unwillingness of the United States themselves to propose abrogation, desire to retain full liberty as to the manner and form in which any such proposal shall be laid on their behalf before the Cabinet at Washington. * * * The Clayton-Bulwer treaty has been a source of unceasing embarrassment to this country, and Her Majesty's Government, if they should be so fortunate as to extricate themselves from the difficulties which have resulted from it, will not involve themselves, directly or indirectly, in any similar difficulties for the future."

The answer of General Cass to Lord Napier's several proposals was, briefly, to the effect that pending the results expected from Sir William Ouseley's mission to the Central American States the United States could not adopt the alternative of arbitration "even if it had not been twice rejected before," and, that "if the President does not hasten to consider now the alternative of repealing the treaty of 1850, it is because he does not wish prematurely to anticipate the failure of Sir William Ouseley's mission, and is disposed to give a new proof to Her Majesty's Government of his sincere desire to preserve the amicable relations which now happily subsist between the two countries."—General Cass to Lord Napier April 6, 1858.

In this posture of affairs the Earl of Malmesbury instructed Sir William Ouseley to open direct negotiations with the Central American States, and on the 18th of August instructed Lord Napier to inform the Government of the United States of the intentions and object of Her Majesty's Government in the premises. His lordship added:

"Modification, arbitration, and abrogation of the Clayton-Bulwer treaty

have been *flatly rejected* [the italics are my own]. Great Britain and Nicaragua are now about to treat as independent States."

I have emphasized the phrase "flatly rejected" in view of a subsequent instruction of the Earl of Malmesbury to Lord Napier on the 8th of December, 1858, wherein he said:

"I think you would have done better if you had not too pointedly brought before the United States Government the notion that the British Government might view with favor a proposal to abrogate the Clayton-Bulwer treaty."

It is not difficult, in following this narrative, to discern that General Cass, though not desiring to express it, had an additional motive for declining at that particular time to propose the abrogation of the Clayton-Bulwer treaty. He did not desire by such proposed abrogation to indicate his willingness that Sir William Gore Ouseley should make treaties with the separate states of Central America unrestrained by the clauses of the Clayton-Bulwer treaty inhibiting the extension of British power in that region. General Cass, with his accustomed caution and wisdom, clearly perceived that for the United States to propose abrogation on the very eve of Sir William Ouseley's mission would lead to injurious inferences, and would imply conclusions which the United States was not prepared to admit.

Objectionable as General Cass thought the Clayton-Bulwer treaty, he thought it was better than giving the implied consent of this Government that Great Britain should obtain such treaties as the force of her power might secure in Central America.

The subsequent note of Lord Malmesbury, not strained by an uncharitable construction, throws additional light on the subject, and confirms the wisdom of General Cass in declining to propose abrogation at that time. And, besides, General Cass evidently desired to retain those very clauses of the Clayton-Bulwer treaty to which, in my dispatch of the 19th, I proposed on the part of this Government to adhere.

I have dwelt with somewhat of detail on this particular historic episode, partly because it admirably illustrates the spirit with which both Governments have regarded the Clayton-Bulwer treaty from the first, and partly because it had more direct bearing on the question of the guaranty of any isthmian transit than any other discussion of the time. In perusing the voluminous correspondence, unprinted as well as that printed and submitted at the time to Congress and to Parliament, I am more than ever struck by the elastic character of the Clayton-Bulwer treaty, and the admirable purpose it has served as an ultimate recourse on the part of either Government to check apprehended designs in Central America on the part of the other, although all the while it was frankly admitted on both sides that the engagements of the treaty were misunderstandingly entered into, imperfectly comprehended, contradictorily interpreted, and mutually vexatious. * * *

My main object in writing this instruction has been to strengthen your hands in any discussion which may now ensue as to the benefits of the Clayton-Bulwer treaty and the mutual interest of the two countries in conserving it as the basis of a settlement of all disputes between them touching Central American and isthmian questions. It will be seen that, from the time of its conclusion in 1850 until the end of 1858, its provisions were thrice made the basis of a proposal to arbitrate as to their meaning, that modification and abrogation have been alike contingently considered, and that its vexatious and imperfect character has been repeatedly recognized on both sides. The present proposal of this Government is to free it from those embarrassing features, and leave it, as its framers intended it should be, a full and perfect settlement, for all time, of all possible issues between the United States and Great Britain with regard to Central America.

If in your conferences with Earl Granville it should seem necessary, you will make free use of the precedents I have cited, and should you, within the discretionary limits confided at the end of my No. 270, have given a copy thereof to his lordship, you are equally at liberty to let him have a copy of this also, with the same explanation, that it is for your use, and not written as a formal note for communication to Her Majesty's Government. (Mr. Blaine, Secretary of State, to Mr. Lowell, November 29, 1881.)

Mr. CAFFERY. This letter of Mr. Blaine sets forth, in a very comprehensive way, the reasons why General Cass declined to consider the proposition submitted upon the part of Great Britain for the abrogation of the Clayton-Bulwer treaty. The reasons given by General Cass were most admirable, and at that period and during Mr. Cass's retention of the portfolio of state there was not the slightest idea entertained by any public man that this treaty was obsolete. This was in 1881. It was a live document at that period. It embodied the stipulations between the two high contracting parties in relation to Central America and the Nicaraguan Canal, and those stipulations are just as good today, modified to some extent by the changed conditions of the United States, as they were then. On page 209 I will read from a dispatch of Mr. Evarts to Mr. Logan. Mr. Evarts was the preceding Secretary of State. It is as follows:

Aside from the well-understood doctrines of this Government as to any new acquisitions of American territory by European powers, it seems unquestionable that the Clayton-Bulwer treaty precludes the acquisition of those islands by Great Britain. The intentions which are imputed, therefore, to that power, looking in that direction, may well be discredited. Still they should awaken the attention and arouse the vigilance of this Government. Even should the tendency you report toward the alienation of the Bay Islands take another direction, it would, of course, be impossible for us to remain indifferent or to acquiesce in any other European power acquiring any of them. (Mr. Evarts, Secretary of State, to Mr. Logan, March 4, 1880.)

Here is Mr. Evarts invoking the Clayton-Bulwer treaty in 1880 against the acquisition of the Bay Islands by Great Britain. It was not an obsolete treaty then, clearly. It was a valid treaty at that period. It had the highest sanction that the United States could give it—the official sanction, in the official writing, of the Secretary of State. Again I quote from Mr. Fish to Mr. Schenck, April 20, 1873. I will read some of it and ask that it be incorporated in the RECORD:

You are aware that a main object of the Clayton-Bulwer treaty, so called, of the 19th of April, 1850, was to provide against obstruction by either party to a ship canal to the Pacific through Nicaragua.

It was to provide, in other words, for the neutralization of the canal.

A work of that kind was then deemed specially necessary and desirable for us, as California had recently been acquired, the only practicable way to

which was across the Isthmus of Panama or around Cape Horn. For some time previously to the date of that instrument, and especially during the considerable period when the United States were without a diplomatic representative in Central America, it seemed to be the policy of the British Government to avail itself of what was called its protectorate of the King of Mosquitos to wrest from Nicaragua that part of its territory claimed on behalf of that Indian chief, including, of course, the mouths of the San Juan River, by the way of which it was supposed the proposed ship canal must pass.

The Clayton-Bulwer treaty effectually checked this pretension. It also in terms forbade either party to occupy or fortify in any part of Central America. The British Government, probably actuated by an apprehension that this stipulation might be construed against their claims at Belize, Honduras, instructed Sir H. L. Bulwer to make the declaration of 20th of June, 1850, when the ratifications were to be exchanged, to the effect that they did not understand the engagements of the convention to apply to Belize and its dependencies. In a note to Sir Henry of the 4th of July, 1850, Mr. Clayton acknowledged that it was not the purpose of the convention to apply to Belize and its dependencies.

A similar acknowledgment is contained in a memorandum of the 5th of July, 1850, signed by Mr. Clayton, which says that he at the same time declined to affirm or deny the British title in their settlement or its alleged dependencies. Among the latter what are called the Bay Islands were claimed to belong. The British Government, however, having converted them into a separate colony, this and the continuance of its protectorate, so called, over the Mosquito Indians, were regarded as virtually such breaches of the Clayton-Bulwer treaty as to call for the remonstrances which Mr. Buchanan, and subsequently Mr. Dallas, were instructed to address, and which they did address, to the Government. The answer of that Government was in substance that the Clayton-Bulwer treaty was merely designed to provide for the future and was not intended to affect any rights or claims which Great Britain may have had in Central America at the time of its conclusion.

This pretension was effectually answered by Mr. Buchanan in his reply to Lord Clarendon's memorandum on the subject, which you will find on the file or record of your legation. Ultimately, on the 17th of October, 1850, what is called the Dallas-Clarendon treaty was signed at London. The object of this instrument was to compose the differences between the two governments, especially in regard to the Bay Islands and the Mosquito protectorate. When the treaty reached here, it must have been obvious to the Executive that if it accomplished either of those purposes this was in an incomplete and unacceptable way. Still the treaty was laid before the Senate, which body, though it did not absolutely reject it, appended to it so many and such important amendments that they were not accepted by the British Government, and the whole business proved abortive.

The British Government then sought negotiations with Nicaragua, Guatemala, and Honduras, separately, to attain the principal objects which it hoped to compass by means of the Dallas-Clarendon treaty if it had gone into effect as it was signed.

The purposes of that Government were in the main accomplished. On the 28th of January, 1860, a treaty between Great Britain and Nicaragua was signed at Managua. Though this instrument restored to that Republic the nominal sovereignty over that part of its territory which had previously been claimed as belonging to the kingdom of the Mosquitos, it assigned boundaries to the Mosquito Reservation probably beyond the limits which any member of that tribe had ever seen, even when in chase of wild animals. Worst of all, however, it confirmed the grants of land previously made in Mosquito territory. The similar stipulation on this subject in the Dallas-Clarendon treaty was perhaps the most objectionable of any, as it violated the cardinal rule of all European colonists in America, including Great Britain herself, that the aborigines had no title to the soil which they could confer upon individuals.

This rule has repeatedly been confirmed by judicial decisions, and especially by the Supreme Court of the United States. It is supposed to be superfluous to add that it is understood the grantees of the Mosquito chief, respecting whose interests the British Government was so solicitous, were the subjects of the latter.

It is supposed that the expedition of Walker to Nicaragua made such an unfavorable impression on public opinion there, in respect to this country, as to prepare the way for the treaty with Great Britain. A rumor was current in that quarter, and was by many believed to be true, that Walker was an agent of this Government, which, it was supposed, had covertly sent him thither to obtain control of the country. This, however, was so far from the truth that everything within its power was done by this Government toward preventing the departure of Walker.

Besides the treaty with Nicaragua, just adverted to, there was a treaty between Great Britain and Honduras, signed on the 28th November, 1859, the main object of which was the restitution to the latter of the Bay Islands, which had for some time before been converted into a British colony.

This treaty also contained stipulations in regard to Mosquito Indians in Honduras territory similar to that in the treaty with Nicaragua.

On the 30th of April, 1859, a treaty between Great Britain and Guatemala was also signed, by which the boundaries of the British settlement at Belize, so called, were extended to the Sarstoon River. This instrument contained provisions for the appointment of commissioners to mark the boundaries and for the construction of a road from Guatemala to the fittest place on the Atlantic coast near Belize. By a supplementary convention between the parties of the 5th of August, 1859, Great Britain agreed, upon certain conditions, to contribute \$50,000 toward the construction of the road referred to.

From the note of the 4th of December last, addressed to this Department by Mr. Dardon, the minister of Guatemala here, a copy of which is inclosed, it appears that when the joint commission for running the boundary line reached the Sarstoon River the British commissioner, finding that his countrymen were trespassing beyond that limit, refused to proceed, and the stipulation on the subject, if not virtually canceled, has, at least, been suspended.

The supplementary convention not having been ratified by Guatemala in season, it is stated that the British Government has notified that of Guatemala that it would regard the stipulation on the subject of the road contained in the treaty of 1859 as at an end.

Other important information on these subjects is contained in the letter and its accompaniments of Mr. Henry Savage to this Department of the 16th of October last, a copy of which is inclosed. He is a native of this country, and at one time was consul at Guatemala.

He has frequently, in the absence of a diplomatic agent of the United States in that quarter, furnished this Department with valuable information in regard to Central American affairs.

Mr. Dardon says that his Government also regards its treaty of 1859 with Great Britain at an end, and requests on its behalf the cooperation and support of this Government toward preventing further encroachments by British subjects on the territory of Guatemala. It is believed that if such encroachments are authorized or countenanced by that Government it will be tantamount to a breach of its engagement not to occupy any part of Central America. Before, however, officially mentioning the subject to Earl Granville, it would be advisable to ascertain the correctness of the representation

of Mr. Dardon as to the cause of the discontinuance of the demarkation of the boundary.

If the statement of that gentleman should prove to be correct, you will then formally remonstrate against any trespass by British subjects, with the connivance of their Government, upon the territory of Guatemala, as an infringement of the Clayton-Bulwer treaty, which will be very unacceptable in this country. (Mr. Fish, Secretary of State, to Mr. Schenck, April 28, 1872. MSS. Instruction, Great Britain.)

It will be seen from this paper that not only was this treaty held to be valid, but it was used by the United States to protect them and Central America against the encroachments of Great Britain in Central America. Can we use a treaty for the purpose of protection and then declare it obsolete when it may be thought to stand in the way of a monopoly of a canal? No, sir.

These two extracts from Mr. Blaine and Mr. Fish show that after the civil war—a long time after the ratification of the treaty of 1850—the United States of America solemnly recognized the validity, the existence, the binding force, the beneficial action of this treaty.

I am thus particular, Mr. President, in putting these documents into the RECORD because I desire the American people to read the evidence, the written evidence, the authentic evidence of the validity of this treaty.

Mr. SULLIVAN. I should like to ask the Senator a question, if he will permit me.

Mr. CAFFERY. Certainly.

Mr. SULLIVAN. Is it pretended by anybody that that treaty is not in effect? And granting that it is in effect, does that in any wise, directly or indirectly, interfere with the building of the canal? In other words, has that got anything to do with it?

Mr. CAFFERY. It has everything to do with it.

Mr. SULLIVAN. Answer the two questions, please.

Mr. CAFFERY. I will take my time to answer them in any way I choose.

Mr. SULLIVAN. Certainly; surely.

Mr. CAFFERY. If the Senator had been here he would have heard me state that it violates both the concessions and the Clayton-Bulwer treaty, and it is therefore necessary to set out what this treaty is. I say that it violates the treaty indirectly and directly, and that it penetrates the concession with a hole that you can drive a wagon and team through.

I want to get this evidence in the RECORD just to establish this point. It has been held, argued, and stated solemnly in the report that this treaty is obsolete. Does the Senator from Mississippi think that the validity of this treaty has nothing to do with the case at all?

Mr. SULLIVAN. If the Senator will permit me, I do not think that the treaty is at all obsolete. I think it is in force absolutely, but I do not see how that interferes with the passage of this bill in any respect whatever. There is no provision in it violating the treaty, according to my understanding of this bill—none whatever.

Mr. CAFFERY. I do not know that the Senator was in the Chamber when I read section 20 of the pending measure and called attention to the interpretation put upon that section by the honorable Senator from Alabama, who is in charge of this measure, that that section 20 provided an exception out of neutrality of this canal in case of war between the United States and another power desiring to use the canal, and the object of my discussion is to show that the Clayton-Bulwer treaty neutralizes this canal for all purposes and for all time, and therefore the exception in the bill is repugnant to the provisions of that treaty. I think that that is absolutely necessary in order to clear the question from these entanglements. Not only have I argued that the Clayton-Bulwer treaty proclaims the neutrality of the canal, but that the concessions proclaim the neutrality of the canal, and that, although the United States may construct the canal through the intervention of any agency it may choose to adopt, it must stand upon its title and upon its treaty. That is the position.

I propose to introduce, as an appendix to my remarks, the first annual message of President Buchanan of 1857, page 194, section 150, volume 2, of Wharton's Digest. Following that message, I wish to introduce a letter of Mr. Cass to Lord Napier of November 8, 1858. I wish also to introduce the fourth annual message of President Buchanan of 1860.

I desire to call especial attention to this last message, for in that message it is set out that all matters of difference between the United States and Great Britain had been adjusted, that all frictions between the two Governments arising out of different constructions of this treaty had been removed, and that the action of Great Britain in retiring from her pretensions of a protectorate over the Mosquito Indians and the encroachments upon the territory of Nicaragua, and her delimitations of the boundaries of Honduras—that all matters of contention between her and the United States had been amicably adjusted and settled. I shall not read all the papers I have, but I will ask that they be put in the appendix of my speech.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. CAFFERY. I will introduce, also, the letter of Mr. Fre-

linghuysen, Secretary of State, to Mr. Lowell in 1882, page 235; also a letter from Mr. Hall to Mr. Lowell, on page 220 of the same volume of Wharton's Digest.

I introduce this to show that Mr. Frelinghuysen, who went further than any of our Secretaries of State, contended that the treaty was voidable, but not void; and he took the same grounds that were taken in the debates upon the Clayton-Bulwer treaty when Great Britain had trespassed upon Central American territory and unduly extended the limits of her possessions, and therefore was doing acts repugnant to the treaty. But I will call the attention of the Senate to the fact that all these matters of difference, all these acts of Great Britain, had been condoned, or, rather, had been settled, according to Mr. Buchanan's message of 1860. I want to show that, even considering it as an open question between the United States and Great Britain, that treaty is voidable and not void.

I will introduce what President Hayes says, to be found in volume 3 of Wharton's Digest, page 4, where the utterance is first used by any President of the United States or Secretary of State that we must have an American canal under American control.

I will also offer the observations of the American envoys and plenipotentiaries representing the United States in the treaty between the United States and France in 1783, where it was stated that treaties could be abrogated *ex parte* for cause set up by one side, but not internationally. The term used is "a municipal abrogation" as distinguished from international abrogation.

I have shown the validity of that treaty by all these citations. Now I will take up the treaty itself and see what it means. I will read the eighth article of the treaty, and ask that the whole of it be put into the appendix of my speech.

ARTICLE VIII.

The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other state which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

So that not only was this convention for the purpose of putting a joint protection and engaging in a joint guarantee of neutrality as to the particular canal to be constructed across the Isthmus of Darien in Nicaraguan territory, but these powers promised to extend by treaty stipulation the same protection and the same neutrality to every other canal that might be constructed in that country. So, in the language of the treaty itself, the treaty is both aimed to accomplish a particular object and to assert a general principle.

I want to know, Mr. President, whether; in the face of this compact between the United States and Great Britain, the Congress of the United States can deliberately enact a law which indirectly or directly violates the provisions of this treaty?

It is said that the Maritime Canal Company executes the Clayton-Bulwer treaty; that it is a means of execution. Yes, Mr. President, it more than executes it, it gibbets the Clayton-Bulwer treaty. It treats the Clayton-Bulwer treaty as nonexistent. The United States of America in this bill deliberately violates this treaty in assuming to control this canal in case of war with Great Britain. What does the second article of this treaty say?

ARTICLE II.

Vessels of the United States or Great Britain traversing the said canal shall, in case of war between the contracting parties, be exempted from blockade, detention, or capture by either of the belligerents; and this provision shall extend to such a distance from the two ends of the said canal as may hereafter be found expedient to establish.

Thursday, January 5, 1899.

Mr. CAFFERY. Mr. President, when last I had the floor I had, in the course of my discussion, reached the third article of the Clayton-Bulwer treaty. That article emphasizes the first article of the treaty. It provides specifically for the case of a vessel of war of Great Britain or of the United States traversing the canal in time of war between the United States and Great Britain. The first article of the treaty neutralizes the canal generally. The third article applies that neutralization to the case of belligerency between the United States and Great Britain. The first article provides that neither of the signatory parties—

Will ever erect or maintain any fortifications commanding the same—

That is, the canal—

or in the vicinity thereof, or occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; nor will either make use of any protection which

either affords or may afford, or any alliance which either has or may have to or with any State or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, or of assuming or exercising dominion over the same.

Now, Mr. President, the pending bill is directly in the teeth of this provision of the Clayton-Bulwer treaty. The pending bill provides substantially for the exclusive control of the canal by the United States. The pending bill gives the majority of the board of directors to the United States. It provides for a perpetual holding of that majority of the board. It gives the United States seven-tenths of the stock of the Maritime Canal Company. In one section of the bill, section 5, the absolute departure of the Maritime Canal Company for purposes of control of the canal is provided for.

Mr. President, what is this but an absolute control of the canal? Can anyone say that by the control of the Maritime Canal Company, which in turn controls the canal, the party in control of the Maritime Canal Company does not control the canal? This bill seeks to do by indirection, and the thinness of indirection, what the treaty prohibits to be done directly. It goes without saying that whatever is prohibited directly is equally prohibited indirectly; and how can anybody escape the conclusion that with the United States in exclusive control of the company and the company in exclusive control of the canal it gives the United States the control of the canal?

But besides that, Mr. President, section 20 of the bill, its concluding section, directly provides for an infringement of the Clayton-Bulwer treaty. Section 20, I contend, is a very disingenuous section. I contend that it is not doing fairly with a power with which we have treated openly and fairly and frankly. The policy or the impolicy of the Clayton-Bulwer treaty as it relates to this canal has nothing to do with our obligations under the treaty so long as the treaty exists, and here is the disingenuousness in section 20:

That it is hereby declared that the neutrality of the Nicaragua Canal is guaranteed by the United States.

There is a guaranty of the neutrality of the canal as well to the United States as to the world. The opening sentence of section 20 guarantees the entire and complete neutrality of the canal:

Neutrality is provided for in the concessions made by Nicaragua and Costa Rica.

I read, beginning with line 13 of the section:

The Nicaragua Canal being a necessary connection between the eastern and western coast lines of the United States, the right to protect the same against all interruptions, and at all times, is reserved and excepted out of this declaration of the neutrality of said canal and its free use by other nations.

Sir, this is playing Hamlet with Hamlet left out. This is propounding a policy of neutrality and destroying it, not openly, but in the concluding line of section 20, which, although couched in language not entirely clear, contains a provision for excepting out of the general neutrality declared at the beginning of the section the interruption of the connection between the eastern and western coast lines of the United States. If there was any doubt about that exception it was cleared up by the speech of the honorable Senator from Alabama [Mr. MORGAN]. On the 12th ultimo that Senator addressed the Senate on the question of the canal, and in response to a question put to him by the Senator from Wisconsin [Mr. SPOONER], which was as follows:

But you except out of the quality of neutrality the right to the United States, as I understand it, to protect the canal against interruption. I only ask for information. I want to get the Senator's view about it—

The Senator from Alabama [Mr. MORGAN] said:

Mr. MORGAN. My purpose is, very clearly, that when there is war between any two powers, the United States being one of them, that other power shall not use this canal under a declaration of neutrality. That is clear, is it not?

I think it is very clear, Mr. President.

We have declared that it shall be neutral to all the nations of the earth, even as to their war ships, but that they shall not use the canal if they are at war with the United States. If these three Senators who raise this query about the language of this particular section can improve it in the slightest degree, I shall be only too glad to accept their improvement. That is what I have been trying to accomplish. I do not think that any foreign government can ever mistake the intent.

Mr. WHITE. Will the Senator from Louisiana permit me to ask him a question?

Mr. CAFFERY. Certainly.

Mr. WHITE. With reference to the construction which the Senator from Louisiana places upon the Clayton-Bulwer treaty and upon this bill, I wish to inquire whether, in the opinion of the Senator, in the event of war, the United States would be able to use the Nicaragua Canal for the purpose of sending war vessels from one ocean to the other?

Mr. CAFFERY. Clearly. Under a complete neutralization of the canal, the United States could use the canal in case of war.

Mr. WHITE. And could other nations?

Mr. CAFFERY. Great Britain could use it in case of war with the United States, and any other nation of the world at war with the United States could likewise use it.

Mr. WHITE. Then, if the Senator will allow me, if we put up our money and build the canal under this bill, under his construction all the world, in the event of a general war, could use the canal as well as the United States?

Mr. CAFFERY. Do I understand the Senator to ask me whether, under my construction of the Clayton-Bulwer treaty as operating on this canal, I so hold?

Mr. WHITE. Yes, sir.

Mr. CAFFERY. I do. The Clayton-Bulwer treaty provides for the absolute neutralization of the canal.

Mr. WHITE. Of course I am not expressing any opinion upon it.

Mr. CAFFERY. Exactly.

Mr. WHITE. I am simply trying to get the views of the Senator, who I know has studied the matter thoroughly.

Mr. CAFFERY. I am not speaking of the policy or the impolicy of neutralization, but I say that here is a treaty which binds us in terms, emphatically in terms, to the absolute neutralization of the canal. I say further that these concessions bind us absolutely, unequivocally, to the absolute neutrality of the canal. I say that the bill infringes upon this neutrality. It is drawn in the teeth of the Clayton-Bulwer treaty. It is drawn against the neutrality claimed by Nicaragua in its concession, and it violates both the treaty and the concession.

Mr. President, the question arises whether we can, in this ruthless manner, in this arbitrary manner, set aside and abrogate by a bill in Congress a treaty with Great Britain. I have no doubt in my own mind, sir, that upon proper application through diplomatic channels Great Britain would abrogate the treaty. I believe, sir, that the United States ought to construct the canal. I believe that it ought to do so without the instrumentality of the Maritime Canal Company. I believe it ought to own the ground and all the rights and franchises appurtenant upon which the canal is to be constructed, if ever constructed.

I believe that course would obviate a great many difficulties in the way of the construction of this canal. I believe it is the proper course, the honorable course, the just course, the practical course, and it is the only course, in my opinion, which will ever result in the accomplishment of this great object.

Mr. CHILTON. Will the Senator from Louisiana permit a question?

Mr. CAFFERY. Certainly.

Mr. CHILTON. As I understand the Senator, in the first place he thinks we have to get the Clayton-Bulwer treaty abrogated by the voluntary action of Great Britain before we can build the Nicaragua Canal, and, in the second place, we have to get a direct concession from Nicaragua and Costa Rica or any other government which may be interested in the territory through which the canal will run before we can build it. I wish to ask the Senator whether it would not permanently postpone the construction of this great canal if those two conditions are to stand as barriers in the way?

Mr. CAFFERY. By no means. There is no use, Mr. President, to abrogate this treaty for the purpose of constructing a canal, but a canal constructed under that treaty must be neutral. If we want to construct a canal over which we shall have exclusive jurisdiction, we must put the Clayton-Bulwer treaty out of the way; that is all. The Clayton-Bulwer treaty stands right in your pathway. I attempted to prove, and I think I succeeded, that that treaty has been recognized of late years and running back through a succession of years by the United States Government; that we are estopped to deny the binding force and validity of that treaty; and if I have shown that the exclusive control over the canal by the United States denaturalizes the canal, I have shown a case of a violation of this treaty.

Mr. WHITE. Will the Senator from Louisiana permit me?

Mr. CAFFERY. Certainly.

Mr. WHITE. I believe that no one here doubts the absolute necessity of the construction of the canal. The human race will never permit that that little neck of land shall make it necessary to traverse the number of miles which are consumed in traveling around Cape Horn or in going through the Straits of Magellan. There are certain diplomatic issues involved which we ought to look at as they are, and which should be considered as they really exist. One of those is the Clayton-Bulwer treaty. If I remember aright, though I have not been here in the earlier days of the session, the Senator from Alabama [Mr. MORGAN] has conceded the existence of the Clayton-Bulwer treaty.

Personally, I am vigorously in favor of the construction of this canal, but I desire the work to be done in the effective way, and I know that the Senator from Louisiana shares with me in that statement. How that result may be accomplished we must ourselves determine, as far as this body is concerned. I believe that the South American Republics involved will be very glad to have a powerful neighbor in their immediate vicinity controlling this waterway, even though we may not exercise complete territorial jurisdiction. I wish to ask the Senator from Louisiana whether in his opinion it would be in any way violative of any obligation

owing by this Government to any other power if we should pass an act covering this subject, even though we may depend for its effectiveness upon future negotiations.

Mr. CAFFERY. I understand by that question that the Senator implies the passage of an act constructing the canal under the supervision and under the exclusive control of the United States. If that be so, I hardly think it would be appropriate to infringe the treaty by this indirect method. I submit to my honorable friend from California that it is quite as easy, much more courteous, and much more in line with that amenity which should distinguish and characterize the intercourse of nationalities that we say to them in advance of the construction of the canal that we think our joint interests would best be promoted by placing its construction and its control exclusively in the hands of one or the other, as the case might be; and I have stated that I think Great Britain would willingly accede to such a statement or such a proposition made on behalf of the United States.

Mr. WHITE. If the Senator from Louisiana will permit me, I will say that in no way do I intend to insinuate or state that we ought to proceed to the construction of the canal irrespective of any obligation which we may owe to any foreign power. Indeed, I would rather preserve our rectitude and honor in that direction with reference to a weak power than a strong one, for the righteousness of our position must be defended without any reference to the power of our antagonists. But at the same time we ought to be able to devise a scheme which, without impinging at all upon the territorial or national rights of any government, might, at the same time, commence a great work which not only the people of this Republic seem to believe is necessary, and I think with reason, but which the world concedes must sooner or later be accomplished.

Mr. CAFFERY. I quite agree with my honorable friend from California on the general proposition he has made; but I will candidly say to him that in the face of these concessions, in the face of this treaty to which I have alluded, I see no other method of constructing the canal under the exclusive control of the United States than by abrogating the treaty and procuring a rescission or modification of the concession. I propose to show, Mr. President, that the concession from Nicaragua all through guards with most sedulous care the neutrality of the canal, and I contend that the bill violates the concessions as well as the treaty. Now let me refer to these concessions:

ARTICLE VI.

The Government of the Republic declares, during the term of this concession, the ports of each extremity of the canal, and the canal itself from sea to sea, to be neutral, and that consequently the transit through the canal in case of war between two powers or between one or more and Nicaragua shall not be interrupted for such cause; and that merchant vessels and individuals of all nations of the world may freely enter the ports and pass through the canal without molestation or detention.

There is at the end of Article VI the following provision:

But entrance to the canal will be rigorously prohibited to vessels of war of such powers as may be at war with Nicaragua or with any other of the Central American republics.

The transit of merchant vessels of any country at war with Nicaragua or the Central American states is permitted. There is a general declaration of neutrality for the canal with the insignificant reservation that vessels of war of a power at war with Nicaragua will be rigorously prohibited from entrance to the canal.

Now, Mr. President, Nicaragua never had a war vessel that I know of. Costa Rica never had a war vessel. From these two States these concessions are derived, and this reservation is merely made out of abundance of caution. Neither can be a maritime power; neither would ever war with any of the great powers of the globe; and this reservation is equivalent in point of fact to no interruption whatever of the neutrality provided for in the concession. It is to secure these little States over whose territory the canal is to run.

Now, again, Mr. President, let us see how, otherwise, Nicaragua provides for the private control and the observance of this principle of neutrality:

ARTICLE X.

The company shall be organized in the manner and under the conditions generally adopted for such companies. Its principal office shall be in New York, or where it may be deemed most convenient, and it may have branch offices in the different countries of Europe and America, where it may consider it expedient.

Its name shall be the "Maritime Canal Company of Nicaragua," and its board of directors shall be composed of persons, one-half at least, of them shall be chosen from the promoters who may yet preserve their quality as such.

Mr. President, this bill provides that nine out of the eleven directors shall be appointed by the President of the United States, and the tenure of their office is similar to the tenure of office of Senators in the United States Senate. Not one single one of these promoters is on the board of directors. One-half of these promoters, private individuals, are to constitute a part of the board of directors, and with the two directors reserved for each of the States of Nicaragua and Costa Rica it evidently gives these pro-

moters, appointed as directors, added to the two from Nicaragua and Costa Rica, the majority of the board.

That provision is inserted for the evident purpose of keeping the canal under the control of a private corporation through the board of directors, and that is the only way you can control a private corporation of this character. It must be controlled through the board of directors. There is no other way known to corporation for control. When these concessions stipulate and provide that the board of directors shall be composed of one-half at least of the original promoters of the enterprise it provides substantially for the neutrality of the canal.

[At this point, the hour of 2 o'clock having arrived, the bill was laid before the Senate as the unfinished business.]

Mr. CAFFERY. Now, Mr. President, we have heard a great deal about the debt manner that has been resorted to in order to obviate the Clayton-Bulwer treaty in the matter of the construction of this canal. We have been told, "Why the United States is not constructing this canal; it is the Maritime Canal Company that is constructing the canal. We are not only not infringing any article of the Clayton-Bulwer treaty, but we are executing it. That is one way of executing it." If the Clayton-Bulwer treaty were an animate thing, it might say, "I am done for; I am executed entirely; I am guillotined; I am gibbeted."

The provision contained in this treaty is that no exclusive control on the part of the United States shall be taken of this canal. You say you execute this provision by providing that the United States shall take plenary, absolute control through its board of directors, and yet the treaty is being executed! Nicaragua says, "I provide for the neutrality of this canal, so that the vessels of all nations can go through in time of war unmolested, be they vessels of war or of peace," and the United States undertakes in this twentieth section of the bill to except out of this neutrality any interruption of its trade between its Eastern and its Western States or Territories.

I have heard no defense made of section 20 as operating to impair the neutrality of the canal. I have heard that the general scheme of the bill was in line with and in execution of the Clayton-Bulwer treaty, but I have not heard that section 20 was in line with the concessions from Nicaragua and Costa Rica.

I suppose it will be asserted that section 20 does not interfere with, or violate, or infringe the concessions from Nicaragua, as it has been held that the exclusive control of the canal by the United States does not violate the contract of neutrality entered into between the United States and Great Britain.

A question was propounded during the course of this debate by the honorable Senator from Georgia [Mr. CLAY], who is not now present in his seat, to the Senator from Alabama [Mr. MORGAN] when he was discussing this bill, as to whether the provision in the concession from Nicaragua authorizing subscriptions to the capital stock of this company by foreign nations could not be reconciled with the concessions as not violative of the neutrality contracted for or provided for. Now, sir, while foreign nations under the terms of the concession were at perfect liberty to subscribe for this stock, they were inhibited from the usual privilege granted to the holder of the majority of stock by the provision providing that the board of directors should be constituted of private persons.

The board of directors is absolutely under the control of a private company. By allowing foreign nations to subscribe to the majority of the stock, to hold a majority, and, in pursuance of that holding, to vote themselves to a majority of the directors, it would in that case be made nugatory unless the directorship were placed beyond the control of the foreign governments holding a majority of the stock.

Now, Mr. President, what other provision of these concessions from Nicaragua are violated by this bill? Let me read Article VIII of the concession:

ARTICLE VIII.

The present concession is transferable only to such company of execution as shall be organized by the Nicaragua Canal Association, and in no case to governments or to foreign public powers. Nor shall the company cede to any foreign government any part of the lands granted to it by this contract; but it may make transfers to private parties under the same restriction.

The Republic of Nicaragua can not transfer its rights or shares by selling them to any government.

The most sedulous care is taken by Nicaragua to prevent the control and ownership of this canal by any foreign power. Here is a direct prohibition against the transfer of the concessions to any foreign governments or to any foreign public power, and here is a stipulation that Nicaragua shall never transfer any of its rights—one of the main rights being to have a member of the board of directors—to any foreign company.

It is manifest, Mr. President, that all through these concessions Nicaragua is looking to the neutrality of the canal, providing for it in the most careful manner, and there is not one of these provisions that has not been trampled under foot by the provisions of the pending bill. There is no direct transfer of the concessions to the United States, but there is a surrender of the substantial

right to the control of the canal by the Maritime Canal Company to the United States. It is the United States that has the power and control over this canal; it is not the Maritime Canal Company.

Mr. MONEY. Will the Senator from Louisiana allow me to ask him a question there?

Mr. CAFFERY. Certainly.

Mr. MONEY. In your opinion, does that conflict with the rights of England in the Clayton-Bulwer treaty, or does it conflict with the concessions made by the States of Nicaragua and Costa Rica as to the control by the United States?

Mr. CAFFERY. It conflicts with both, sir.

Mr. MONEY. Suppose in that instance it is contended that it does not, and this disputed construction is left to arbitration and the decision should be adverse to the United States, then what would be the result?

Mr. CAFFERY. If the question of the transference of the concessions to a foreign power, as working a forfeiture thereof, were submitted to arbitration, and the decision was adverse, the United States would be checkmated, the United States would be halted in its enterprise, because under the very terms of Article VIII the concessions are forfeited, the right to construct the canal is lost. Every single franchise and every single right granted and conceded by Nicaragua in the concession is irrevocably lost. A violation of Article VIII is made in terms to operate, *ex propria vigore*, a forfeiture of the concessions.

If the bill transfers the concessions held by the Maritime Canal Company from Nicaragua, whether it is done by the substitution of the United States in its stead or whether it is done by any other indirect method, it gives the control of the canal away from the Maritime Canal Company to a foreign power, and therefore is violative of these articles of the concession.

I can imagine no more bungling method of obviating the Clayton-Bulwer treaty and the concessions from Nicaragua and Costa Rica than the method adopted by this bill. It is in vain, Mr. President, for the United States to claim that the bill does not destroy the Maritime Canal Company as to any power or control whatever over the canal. It speaks from every line and sentence in the bill. It does so indirectly; it does so directly; for section 5 of the bill declares in terms the abdication of the Maritime Canal Company of Nicaragua. Section 5 provides for the entrance of the United States on the scene and the exit of the Maritime Canal Company. What does it say?

Sec. 5. That when the subscription for the stock as provided in section 4 of this act is so made the offices now held by the directors of the Maritime Canal Company of Nicaragua, except such as represent the States of Nicaragua and Costa Rica, shall become vacant, and said Maritime Canal Company of Nicaragua shall be recognized under this act.

Utterly destroyed. The Maritime Canal Company, which was incorporated under an act of Congress with the profession that it never wanted a dollar from the United States, which was almost a part of the act of incorporation, retires from active life, becomes a corpse, and it is reorganized by this bill. How is it reorganized? What power is left to it as to any control or direction of the canal? None whatever. It only remains as the residuary legatees, as it were, of the hope that the bonds of this company, indorsed by the United States, may hoist their twenty-two and one-half millions of stock either to par or to some considerable value. It retains, besides, the control of the construction of the canal under the supervision of the United States engineers.

Mr. MONEY. Will the Senator from Louisiana allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. CAFFERY. Certainly.

Mr. MONEY. I should like to ask the Senator from Louisiana this question: After the United States gets \$70,000,000 of this stock and Costa Rica and Nicaragua get seven and one-half millions, what becomes of the twenty-two and one-half million dollars left of the \$100,000,000?

Mr. CAFFERY. I am glad the Senator has asked me that question, for it had puzzled me somewhat to know what would be the final disposition of that stock. The bill provides for stock to the amount of \$100,000,000, nonassessable. The United States takes \$70,000,000 of that stock as a consideration for its indorsement of the bonds of the Maritime Canal Company to the extent of \$100,000,000. That accounts for \$70,000,000. Then there is \$30,000,000 of this stock which goes to Nicaragua, and a million and a half of this stock which goes to Costa Rica, leaving twenty-two and one-half millions of the stock as assets in the treasury of the company.

Now, it has been contended—and most vehemently contended—by the proponents of this scheme, that it would only require \$65,000,000 to build the canal, and that therefore this subvention of \$100,000,000 would leave an excess, a surplus of money after constructing the canal. It would appear that this nonassessable stock of twenty-two and one-half million dollars, now nothing in the world but the wind, would all of a sudden take on a valua-

tion at par. This stock would lie in the company's chest until the canal was built out of United States money, and would then take vitality, not from anything done by the company, but from the vitalizing effect of the money of the taxpayer. That is all I can see. If there is any other explanation of it, I should be very glad to hear it.

The Maritime Canal Company have said repeatedly, through their engineers, that the cost of the construction of this canal would not exceed \$65,000,000. If, therefore, the United States donates to this company, in the shape of the subvention of its bonds, \$100,000,000, this nonassessable stock must necessarily take on some considerable value.

It may be, Mr. President, that the rosy anticipations of the promoters of this scheme may not be realized; it may be that the commercial profits of this Nicaraguan Canal will be very much less than are anticipated by the friends of the measure, and it may be that the stock, if the canal proves a commercial failure, will pay no dividends. All these contingencies may occur, but, according to the rosy anticipations of the promoters of the scheme, millions of dollars will pour into the coffers of this company from the receipts of the canal. Its stock would, therefore, boom high; it might possibly go to the premium of 117 or 125 now held and enjoyed by bonds of the United States.

Mr. President, before I leave the line of thought suggested by the question of the honorable Senator from Mississippi [Mr. MONEY], I would say that this canal company present to me a very refreshing spectacle. They came into the Congress of the United States with a bill asking for incorporation, and accompanying that bill was a proviso that no subvention in the shape of money, bonds, or in any other shape, should ever be granted from the United States to this company. They have disclaimed, with a vehemence of virtue rarely excelled, that they wanted any money, and that honorable Senators, the Senate of the United States, insisted upon their taking the indorsement of the bonds of the United States; that the enterprise was of such a colossal character, required so much money, involved such national and momentous consequences, that the United States could not stand by and see these gentlemen, flush with money and anxious to spend it, invest it in this scheme, but the United States would kindly and almost forcibly do so.

Why, Mr. President, what terrible temptation was it for this company to resist this seductive offer upon the part of the United States? Everybody must sympathize with them in their struggles to put aside the tempting ducats offered by the United States. But they yielded, sir; they were not proof against the tempting offers of the United States Government; and now we have the canal to be constructed by the Maritime Canal Company—a corporation that wanted no money, that disclaimed wanting any money—by and through the money of the taxpayers of the United States.

Before I leave this branch of the subject, Mr. President, I will state that a most serious constitutional question is involved in the validity of the indorsement of the bonds of a private company to construct a work upon foreign soil not under the jurisdiction of the United States.

Mr. HARRIS. If the Senator will allow me to interrupt him just a moment in his discussion of the bill, for some time past it seems to me he has entirely ignored the present status of the bill with the amendment offered by the Senator from Arkansas [Mr. BERRY], and practically accepted by the committee, which eliminates entirely the question of bonds, which eliminates entirely the question of stock in the treasury of the company, and transfers the entire amount of stock, excepting that kept for Nicaragua and Costa Rica, to the United States, and makes an appropriation of money directly. Consequently I do not see any relevancy whatever that the question of bonds has to the matter.

Mr. CAFFERY. Mr. President, I am discussing the bill as it is now pending. The Senator from Arkansas [Mr. BERRY] did introduce an amendment looking forward to the destruction or to the removal of the bonds from the bill and providing for the money to be drawn directly from the United States Treasury by warrants on the Treasury.

Mr. HARRIS. And that has been practically accepted by the Senator from Alabama [Mr. MORGAN], and the reprint of the bill shows the manner in which it will be amended in those particulars.

Mr. CAFFERY. Mr. President, I understood from the remarks of the Senator from Alabama—I was not present during all the time this matter was debated by him—that he leaned favorably toward this amendment of the Senator from Arkansas, but I am not aware of any positive action upon his part or upon the part of the committee which he represents looking toward an acceptance of this amendment of the Senator from Arkansas.

The amendment of the Senator from Arkansas not only destroys the bond feature of the present bill, but virtually destroys the stock feature of it, so far as the Maritime Canal Company is concerned. I am perfectly willing to grant that; but so long as the

bill is as it is, and so long as there is no official or positive acceptance of the amendment offered by the Senator from Arkansas, I think I am perfectly justified in discussing its provisions.

Mr. MONEY. Will the Senator from Louisiana permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. CAFFERY. Yes, sir.

Mr. MONEY. In the event that the bill amended in the direction suggested by the Senator from Kansas [Mr. HARRIS] should be substituted for the committee's original bill, when is this \$5,000,000 to be paid to the Maritime Canal Company? Is any work to be done before that time, or is anything to be done before that time, or is it to be an immediate payment, whether the canal is built or not?

Mr. CAFFERY. No, sir. There is no work to be done upon the canal by this company before the \$5,000,000 to be paid them under section 8 are actually paid. That section provides that as soon as the proposition of the United States, which is embraced in a preceding section, is accepted by the Maritime Canal Company, the company shall call in all its stock, subscriptions for stock, bonds, and outstanding liabilities of every kind, including contracts for the construction of the canal, and cancel them, or make satisfactory arrangements for such cancellation, calling in, and so on, and when this is done to the satisfaction of the Secretary of the Treasury that \$5,000,000 of the bonds of this company, or the warrants substituted for them, are to be handed over to the company.

Mr. MONEY. Will the Senator permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Mississippi?

Mr. CAFFERY. Certainly.

Mr. MONEY. I am speaking now of the new bill as reported by the committee in reference to the section which provides that Treasury warrants shall be issued to the amount of \$5,000,000 to the Maritime Canal Company.

Mr. CAFFERY. I have not that copy of the bill here. I have only the old print.

Mr. MONEY. I hand the Senator a copy of the amended bill.

Mr. CAFFERY. Yes. Instead of the bonds to be granted to this Maritime Canal Company in consideration of its canceling and taking up of its outstanding obligations, bonds, and stocks, warrants are provided for to be given to it under the terms of the amendment of the Senator from Arkansas [Mr. BERRY], not exceeding \$5,000,000. The amount is to be ascertained by commissioners, who are to proceed upon terms of equity and justice. That is about the same provision as that which is in the original bill.

Mr. ALLEN. Does the Senator understand that the \$5,000,000 are to be paid to the Maritime Canal Company absolutely and unconditionally?

Mr. CAFFERY. Yes, sir; upon their doing the things provided for in this third section, calling in all these stocks, etc. They are not to receive, however, in excess of \$5,000,000.

Mr. ALLEN. It has been some time since I looked at this print of the bill.

Mr. CAFFERY. The amount, however, is to be fixed by three commissioners, not to exceed \$5,000,000.

Mr. HARRIS. It may be much less than that.

Mr. CAFFERY. Yes, it may be much less. It is not to exceed \$5,000,000.

Mr. ALLEN. I had the impression that the commissioners were to ascertain so far as they could the exact value of the assets of the Maritime Canal Company, that they should return that amount, and that that sum should be paid. If it should be \$2,000,000, that that would be what would be coming to the canal company; but that the company was not to have the \$5,000,000 absolutely and unconditionally.

Mr. HARRIS. Undoubtedly.

Mr. CAFFERY. Yes, sir.

Mr. ALLEN. If the Senator will permit me, in connection with this subject—

Mr. HARRIS. Will the Senator from Nebraska allow me, with the consent of the Senator from Louisiana?

Mr. CAFFERY. Certainly.

Mr. HARRIS. Section 8 says:

Any two of said commissioners agreeing, they shall report to the Secretary of the Treasury the sum they shall have agreed upon as a just and equitable compensation for the property, rights, privileges, franchises, and expenditures aforesaid.

Mr. ALLEN. That was my understanding of the bill. I think the radical defect, however, is that there is no provision whatever in this bill for the ascertainment of the value of the assets, franchises, and privileges of the Maritime Canal Company. Now, simply to say that commissioners shall be appointed who shall ascertain the value without giving those commissioners some judicial power, or some power to summon witnesses and to make

a proper inquiry, is a futile provision, in my judgment. It would be just as well out of the bill as it is.

Mr. CAFFERY. I will say to the Senator from Nebraska that the reading of the bill as it will be amended by the amendment of the Senator from Arkansas [Mr. BERRY] is as follows:

And in consideration thereof there shall be issued and delivered to such person or persons as may be designated by the stockholders of said company, other than the Republics of Nicaragua and Costa Rica, or by a majority thereof, warrants of the Treasury of the United States, which the Secretary of the Treasury is hereby authorized to cause to be issued to an amount not exceeding, at their par value, the sum of \$5,000,000.

That, of course, provides that no amount exceeding that sum can be paid, and that any amount under that sum can.

Mr. ALLEN. If the Senator will allow me—

Mr. CAFFERY. If the Senator will permit me, I will read the whole of it, and then he can better see the bearing of it. The section proceeds:

Which said amount, in such case, shall be fixed and determined by three commissioners, by principles of justice and equity, so as to provide a fair compensation of the rights, privileges, and franchises now owned by the said company and the reimbursement of all expenses made heretofore by the said company in the construction of the canal, or in any way incident thereto. Said commissioners shall be appointed by the President of the United States, and shall not in any way be interested in the Maritime Canal Company of Nicaragua or in any contract or concession relating to the Nicaragua Canal.

Mr. ALLEN. Now, the question is, if the Senator will permit me, after those commissioners have been appointed, what is the measure of their authority to make this inquiry?

Mr. CAFFERY. There is no specific method of procedure by and on the part of the commissioners to ascertain the value of the assets spoken of.

Mr. ALLEN. How would the commissioners, if the Senator please, after they are appointed, proceed to make this inquiry?

Mr. CAFFERY. Well, Mr. President, that is a question which the Senator from Nebraska can perhaps answer better than I. I see no other method than to call in experts or persons acquainted with the value of this property and get their advice and estimate of the value of the property.

Mr. ALLEN. Suppose persons who are familiar with the value of the property, those, possibly, who have been associated with the work, refuse to go before the commissioners, refuse to testify, refuse to give what information they have, how are you going to obtain it?

Mr. CAFFERY. There is no method that I know of.

Mr. ALLEN. Is it not true when a statute grants authority to do a thing, creating a semijudicial tribunal, or an executive board, that it should specifically point out how the thing is to be accomplished?

Mr. CAFFERY. I think so, sir; and I think that is a hiatus in this bill.

Mr. ALLEN. Could it be assumed that because this commission has a right to inquire into the value of this property, therefore it has a right to resort to all the essential and necessary methods to ascertain the truth without specific authority?

Mr. CAFFERY. That does not follow without they have the authority to summon witnesses and administer oaths.

Mr. ALLEN. There is exactly where I regard this provision in the bill as defective.

Mr. CAFFERY. I think it is defective in that particular; I agree with the Senator from Nebraska on that point; but this is not the greatest defect of the bill.

I will point out to the Senator from Nebraska the fact that all the expenses of the Maritime Canal Company are to be reimbursed to them. I will read the provision. After providing that a sum not to exceed \$5,000,000 should be paid for the assets and franchises of this company, the bill further provides that included in this estimate to make up the sum of \$5,000,000 shall be the expenses of this company—not what the thing on which they have expended the money is worth, but what amount of money they have spent on it.

Mr. ALLEN. Regardless of what would be a reasonable expenditure?

Mr. CAFFERY. Yes.

Mr. ALLEN. Even if the expenditure is enormous and disproportionate to the work?

Mr. CAFFERY. It is true, it is said, that this shall be settled upon principles of equity and of justice.

Mr. ALLEN. That is very indefinite.

Mr. CAFFERY. Yes; that is very indefinite.

Provision is made for the reimbursement of the expenses of the company in the matter of the construction of the canal.

Mr. ALLEN. I regard that as one of the weak points of the bill, although it may be regarded, possibly, as a minor point.

Mr. CAFFERY. I think it is a point of decided weakness in this bill, or in the amendment proposed to the bill, to have this company in the bill at all. Why are they left there? What is their business there? This canal is to be constructed according to the plan and profile of the engineers of that company; it is to be constructed by the engineers of the Maritime Canal Company; but

they have no voice on the board. All that I can see that the Maritime Canal Company has to do with the canal to be constructed is to be repaid for what they have paid out, in a sum not exceeding \$5,000,000.

The construction of the canal, involving between \$85,000,000 and \$123,000,000—which I am told is the lowest estimate of the Hains Commission—is a very considerable job. It gives rise to opportunities to handle a large amount of money. I will call the attention of the Senate and the Senator from Nebraska to the fact that this canal is to be constructed on a method entirely unknown to the construction of public works in the United States. When appropriations are made by Congress for the improvement of rivers and harbors, or any other public work in the United States, the work is let out by the Secretary of War under contracts, and such contracts are awarded to the lowest responsible bidders after full advertisement by the Secretary of War.

This bill provides that the money shall be paid by the quarter and in advance, and that the canal shall be constructed according to the particular ideas or plans of the engineer department of the Maritime Canal Company. It is true there is a provision in the bill for some kind of a supervision by the United States engineers; that is all. But they do not construct it; it is not made by their plan; they are not the active parties. Not only is this company the constructor of the canal, but it has to get the money in advance—three months in advance.

Mr. ALLEN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. CAFFERY. Certainly.

Mr. ALLEN. What check is there placed upon the expenditure of the money by the Maritime Canal Company?

Mr. CAFFERY. None other than I know of except the supervision of the United States engineers and the power given to the President of the United States to withhold the money.

Mr. ALLEN. Does the Senator mean to say that the quarterly payments pass over absolutely into the hands of the canal company?

Mr. CAFFERY. I mean to say that identical thing.

Mr. ALLEN. And that they render no account to anybody?

Mr. CAFFERY. Oh, yes; they must render an account, but the money goes into their hands before the work is done.

Mr. ALLEN. Are they required to give bond or security for its proper disbursement?

Mr. CAFFERY. None on earth.

I will read section 14 for the information of the Senator from Nebraska:

That the board of directors, at the commencement of the work, and quarterly thereafter, shall file with the Secretary of the Treasury a statement of the work to be done and the expenses to be incurred by the company during three months next ensuing, and shall submit an estimate of the amount which will be due and payable thereon, together with all other or extraordinary expenses necessary to be incurred by said board during said period; and on his examination and approval of said statement he shall issue and deliver to said board of directors bonds—

“Warrants” substituted in the amendment—

sufficient at their par value to cover the amount approved by him.

I will look at section 14 as proposed to be amended to see whether or not this particular section is materially altered in the amendment proposed by the Senator from Arkansas [Mr. BERRY]. I will read the section of the bill as proposed to be amended by the Senator from Arkansas:

The board of directors, at the commencement of the work, and quarterly thereafter, shall file with the Secretary of the Treasury a statement of the work necessary to be done and the expenses necessary to be incurred by the company during the three months next ensuing, and shall submit therewith an estimate of the amount which will be due and payable thereon—

It is identical down to this point—

together with all other or extraordinary expenses necessary to be incurred by said board during said quarterly period, and on his examination and approval of said statement the Secretary of the Treasury shall issue a warrant upon the Treasury of the United States to the said board of directors for the amount so approved by him.

In that section the bond feature appears to be retained.

Mr. BERRY. It was not so intended. It will be amended when we reach it.

Mr. CAFFERY. All that I understand the Senator from Arkansas to desire in regard to this section is that warrants shall be substituted for bonds. So it leaves the main features of the section as they are, providing that the warrants, which are to be issued under the amendment of the Senator from Arkansas, shall be issued three months in advance of the work. Now, that is an extraordinary provision, to my mind, a very extraordinary provision.

Mr. BERRY. Will the Senator permit me? That is a provision of the original bill. It is not a part of my amendment at all. The only effect of the amendment I have offered is to take out the bond features in every way and to take all stock away from the Maritime Company and give it to the Government. That feature is not a part of my amendment. It is a part of the original bill.

Mr. CAFFERY. It appears that this provision in section 14 is

an exceedingly liberal one and manifests great confidence on the part of the United States in the board of directors. It is, however, a provision which has never been practically used by the United States in regard to any other of its works under the control of the Secretary of War.

Our rivers and harbors are improved and all our public works in the United States are carried on according to the plans and specifications of the Secretary of War, and the money is paid when the work is done, and the work must be done according to contract. Here the money is to be paid before the work is done, and the contract is not under the control or the supervision of the United States or its Engineer Department. A contract, if any is made—and there is a provision in the bill that they may let the work out at contract—will not stipulate that the contractors must do the work before the money is paid to them.

Now, Mr. President, I will turn again for a moment to the concessions from Nicaragua. Article XLVIII provides:

A term of ten years is also granted to the company for the construction, completion, and opening of the canal for maritime navigation. However, should events of main force arise, duly justified and sufficient to impede the regular progress of the works during the period of the said ten years, an extension shall be granted equal in duration to the time that may have been lost by such delays.

If, at the expiration of the ten years aforesaid, the works should not be completed so as to have the maritime communication between the two oceans opened, in consideration of the great capital the company may have invested in the enterprise, and of the good will and ability it may have shown, and the difficulties encountered, the Republic binds itself to concede a new extension.

Here is a time limit provided for, within which a canal must be completed and open to maritime navigation. I understand that, from some difficulty in regard to settling the divers claims of Nicaragua and Costa Rica, the company were prevented from going to work immediately after the concessions were granted, and in consequence of this delay the time of commencement dates from about the 8th of October, 1889. Under this article the time limit will be up on the 8th of October, 1899. Then it is manifest that the canal can not be completed by October, 1899, even if active work were commenced on it to-day. The estimate of all engineers, I believe, is that it will require at least six years to construct the canal. So, therefore, the time limit being up October, 1899, the concessions lapse, unless the provision of this article which I have read will grant further time in which the company can do the work.

One contingency provided for is that if events of main force arise duly justified and sufficient to impede the regular progress of the work, then an extension will be granted equal in duration to the time that the main force existed. Now, sir, what is an act of main force? Is it an ordinary occurrence? It is a fortuitous event. The term is evidently copied from the Roman law, and the equivalent meaning in the English law is an act of God or of the king's enemies. Should acts of God or of the king's enemies intervene or take place sufficiently justified—of course that means sufficiently proved—then an extension will be granted equal in duration to the time of the act of main force or the act of God or of the king's enemies. There have been no earthquakes. There have been no disturbances of nature to stop operations on the canal. There has been no war to stop it. There have been no acts of main force whatever occurring to prevent work upon the canal and to authorize an extension of the time granted.

So, therefore, Mr. President, this concession lapses on the 8th or 9th of October, 1899. There can be no contention that any acts of main force have arisen sufficient to impede the operation of these works. There have been none alleged. We have heard it alleged that on account of the failure of the Baring Brothers and the financial crisis of 1893 money was scarce. But it is not an act of God or of the king's enemies for a company to be scarce of money. If so, the act of God would strike most of us very frequently. I doubt whether it would spare more than a dozen of our colleagues in this body. There have been no acts of main force to interrupt the progress of this work; and unless there have been acts of main force to interrupt the progress of the work, then, sir, the concessions lapse upon the 8th of October, 1899.

But what is the other provision? If the company had gone on and undertaken this work and showed, according to the language of the concessions, good will and ability, and expended great capital, then the Republic of Nicaragua agrees to extend the time. So it would. What amount of money has the canal company invested in these nine years? Not one single dime. I suppose they have the best kind of will to construct the canal, but they have not shown any ability to construct it. They have not invested a dollar for nine years, that I know of, or they have not invested a dollar more than the \$2,000,000 which they had to pay to deposit in the treasury of Nicaragua six months after the date of the concession. But for nine years they have not paid a cent. They have not invested a dollar; but for a large and considerable period during those nine years, notwithstanding their protestations of solvency, they have been asking the Senate of the United States for subvention, for bonds.

I contend, Mr. President, that, under the terms of the article which I have read, the concessions from Nicaragua—and Nicaragua is the principal republic making these concessions—will lapse on the 8th of October, 1899. Now, if there is any contention upon that point, and the company contend that they have shown good will and have invested great capital, so as to bring them within the provisions of the article for an extension, that point must be submitted to arbitration. The board of arbitration is to be composed, under Article LV, as follows:

Any misunderstanding that may arise between the State of Nicaragua and the company in regard to the interpretation of the present stipulations shall be submitted to a court of arbitrators composed of four members, two of which shall be appointed by the State and two by the company.

These arbitrators shall be designated by each of the parties within the period of four months from the day on which one of the contracting parties shall have informed the other in writing of the want of agreement on the point at issue. Should one of the parties allow the aforesaid term to pass, it shall be considered as assenting to the opinion or claim of the other.

What is to be submitted here? The question of the interpretation of the agreement or of the concessions. Construe, if you choose, "interpretation" to mean "construction" itself; for interpretation has a narrower signification than construction. The interpretation of a contract means the ascertaining of the meaning of the language of the contract, the words of the contract. The construction involves both the ascertainment of the meaning of the words and the meaning of the text. The lapse of time is a matter of absolute certainty. It is not susceptible of being submitted to the arbitrators. It is certain. Can the question as to whether or not the Maritime Canal Company has shown good intentions or ability or invested great capital be submitted to the arbitrators under the terms of this article? On this point there may be some difference of opinion.

But concede, sir, for the purpose of the argument, that this matter of good will and investment of money and of main force can be submitted to arbitration. Then what occurs? Two arbitrators—

shall be appointed by the State and two by the company.

In case of a tie vote the arbitrators shall select, by mutual consent, a fifth person, who shall decide. If unable to agree to such nomination, they shall draw by lot the names of the diplomatic representatives accredited to Nicaragua, and the first one drawn out shall exercise the functions of the fifth arbitrator.

Here is the great Republic of the United States sitting down at a board of arbitration with its rights to be determined by lot, by one of the foreign representatives in case of a tie vote of the arbitrators at the court of the little Republic of Nicaragua. Is such a provision consistent with the dignity of this great Republic? If there is a dispute between Nicaragua and the company—and the company is the United States all except for the purposes I have mentioned—then the United States occupies the peculiar position of being compelled to submit to the deciding vote of one of the representatives of a foreign power at the court of Nicaragua.

Mr. President, I will read only one other article of the concession, which provides for the share of any bonds, certificates, or other issues to raise the capital stock of the Maritime Canal Company being delivered to Nicaragua. It is Article L:

In consideration of the valuable privileges, franchises, and concessions granted to the company by this contract, the Republic shall receive in shares, bonds, certificates, or other securities which the company may issue to raise the corporate capital, 6 per cent of the total amount of the issue.

And the 6 per cent, according to another paragraph of this article, shall not be less than \$4,000,000. Bonds of the company are to be issued under the provision of this bill or warrants on the Treasury for the construction of the canal, and not one single dollar of any of these issues to raise the corporate capital goes to Nicaragua. Nicaragua gets \$6,000,000 of nonassessable stock. That is all right so far as Nicaragua is concerned, but that stock would be worth nothing if the other shares were nonassessable. They would all be alike in one bag of wind—all alike valueless.

But Nicaragua has stipulated for 6 per cent of the shares or bonds or whatever is issued to raise the corporate capital of the company. Now, what is the corporate capital of the company? How is it issued? Where does it come from? Who supplies it? The United States, either in the shape of bonds or warrants. That is all there is of corporate capital. There is no other substantial basis for corporate capital. The shares are absolutely nonassessable, and therefore wind; and blow as hard as the statute of the United States may blow, it can not blow value in the stock of Nicaragua, unless the canal is a signal commercial success and will declare a dividend on \$100,000,000 of stock. The only substantial corporate capital is the bonds provided for in the original bill, or the warrants provided for in the amendment of the Senator from Arkansas, and Nicaragua stands out with \$6,000,000 of nonassessable stock which may or may not be worth anything.

If the canal is a failure, she gets nothing. If this scheme turns out to be unprofitable, she holds the bag. She gets nothing for her concessions. But she is careful to stipulate for 6 per cent of the valuable stock of the company—its corporate capital. This was made one of the grounds of objection to the various bills pend-

ing before this body and the other House by the representative of the then Greater Republic of Central America. That Republic has gone the way of a good many South American republics—it has evaporated into air. But be that as it may, this bill, in my opinion, is a violation of the concessions in this particular, inasmuch as none of the real substantial capital goes to Nicaragua.

Now, Mr. President, I have occupied the time of the Senate quite as long as I think it necessary in the discussion of this bill. I have no motive other than to see that whatever scheme is devised to construct a canal to link the Atlantic and Pacific together it shall be one that if the United States take any part in it it ought to do so honorably, fairly, and rightfully. It does occur to me, sir, that the Clayton-Bulwer treaty, which has been recognized ever since it was a treaty as being binding between the United States and Great Britain, can not be set aside in the indirect manner proposed by the bill.

It does occur to me that that dignified courtesy required in the transactions of nations of the earth ought to be observed by the United States in any proceeding tending to touch the sanctity of its solemn obligations. It does occur to me that these little Republics, weak and powerless as against the material and physical force of the United States, ought to have their rights scrupulously maintained by the United States when they undertake to act under and by their authority in constructing the canal.

Now, Mr. President, what is the escape from the entanglements and the difficulties that present themselves in the way of the Clayton-Bulwer treaty and the concessions of Nicaragua? It is for the United States to say to Great Britain we want this treaty abrogated; our vast possessions upon the Pacific, augmented daily in power and wealth, require to be linked to our possessions upon the Atlantic and on the Gulf. Even as a matter of domestic policy there ought to be a water communication between the two oceans for the purpose of facilitating the domestic commerce between the States of the Union.

And, Mr. President, there is no better way nor surer way to bring about a reduction in the rates of freight on railroads than to have a competing waterway. The opponents of this bill are classed as supporters of the transcontinental railroads. My opposition is to the method and instrumentality of construction. I would scorn myself could I have a suspicion I was influenced by any other than considerations of the public weal in my advocacy or opposition to any measure.

Monday, January 9, 1899.

Mr. CAFFERY. Mr. President, when I was last addressing the Senate on the pending bill the Berry amendment, so called, had not been accepted by the committee in any authoritative way. That amendment is now accepted, and the bill presents some new features. The amendment of the Senator from Arkansas very materially benefits the original bill. It eliminates the Maritime Canal Company so far as being a residuary legatee for any of the benefits that might accrue from construction of the canal by the United States. The twenty-two and one-half million of stock reserved by the company goes to the United States, thus destroying the chance of speculating in that direction.

There is, Mr. President, a feature in this bill which goes far to show the validity of the contention of Nicaragua as represented by Señor Rodríguez, who at that time was the minister of the Greater Republic of Central America, of which Nicaragua was a part, and who therefore represented Nicaragua. It is this: The provision of the bill gives the United States a lien, a mortgage on all the franchises of the canal for the security of its bonds or the security of the reimbursement of whatever sums it may pay out in the shape of warrants. This, therefore, gives the United States the power to render the stock of Nicaragua and Costa Rica utterly valueless.

When the United States forecloses its lien, sells out all the franchises and property of the canal company, which it can do without judicial process at any period, then the rights of Nicaragua and Costa Rica in the canal disappear, because it is manifest that the canal franchises will never bring any more than the amount the United States will have paid out to construct the canal. This freezes out Nicaragua and Costa Rica. It could have been done under the original bill. It can be done under the amended bill; and therefore it places the United States practically as the sole controller of the canal, the sole owner of the canal franchises.

As the Maritime Canal Company disappears in the matter of directorship and in the matter of stock, why not obliterate the Maritime Canal Company entirely? What is the use of holding the Maritime Canal Company any longer in its precarious existence? It is gone. It has no stock. It has no representation upon the board of directors. The only power it has left is the power of constructing the canal, and that, in my opinion, is a pernicious power, a power that ought not to be delegated by the United States in the construction of a work of this importance to any private company.

I see no cause for the further existence of the Maritime Canal

Company. The United States is supplying the money to construct the canal. Why construct the canal through the instrumentality of a private company? What is there in the Maritime Canal Company to inspire the people of the United States with the confidence that the canal company can construct the canal better than the Corps of Engineers of the United States Army? Is there anything in its past history to warrant the conclusion that it would be a better instrumentality than that instrumentality which the United States already possesses and exercises and uses for the construction of its own work? But particularly is it to be desired that in a work of this magnitude, taking on international aspects, the United States be the sole constructor of the canal. It furnishes every dollar of the money; it has all the responsibility, and I see no reason for the intervention of the Maritime Canal Company between the United States and the execution of this great project. It is no use as a shield against the Clayton-Bulwer treaty.

The argument, in my opinion, is utterly thin, devoid of merit, which holds that because the canal is being constructed under the shadowy, insubstantial auspices of the Maritime Canal Company, therefore the Clayton-Bulwer treaty is not violated by the United States constructing the canal. The United States is the real party. The United States puts up the money. The United States has all the power; it is the board of directors; and in my opinion the argument that the United States is not constructing the canal, but the Maritime Canal Company is, will not stand scrutiny.

Mr. President, see what happens as a practical matter if the canal is constructed under the present plan. All matters of difference arising between this corporation and the government of Nicaragua or Costa Rica, all controverted or litigated questions arising out of the transit of goods or passengers, or any other questions that may arise affecting the Maritime Canal Company, are to be passed upon and adjudicated by the courts of Nicaragua. Is it seemly to the dignity of this great nation to be summoned before a magistrate's court to answer for some charge of any kind or character brought by anybody against this Maritime Canal Company when the United States is the Maritime Canal Company in point of fact?

Mr. President, the amendment which I offered to the bill, in my opinion, will cover all points of defect in the present measure. First, the amendment proposes diplomatic negotiations between the United States and Great Britain to abrogate or modify the Clayton-Bulwer treaty in so far as that treaty may operate to prevent the exclusive jurisdiction and control by the United States over the canal.

Next, it provides that the United States Government shall enter into negotiations with the governments of Nicaragua and Costa Rica for the purchase of a suitable area of land, with all appurtenant franchises, rights, and privileges, for the construction of the canal.

And, third, that the United States shall purchase and cancel from all holders of the same outstanding and valid concessions derived from Nicaragua or Costa Rica, or both of them, granting concessions of canal franchises.

Mr. President, that the Clayton-Bulwer treaty is violated by the provisions of the pending bill I do not believe a perfectly impartial man will deny.

Mr. ALLEN. I desire to ask the Senator if we have not the power to annul the treaty by legislative enactment.

Mr. CAFFERY. We have.

Mr. ALLEN. Would there be anything improper in doing so?

Mr. CAFFERY. We can annul a treaty as to ourselves by a legislative enactment, but we can not annul a treaty internationally by our ex parte action. In other words, a binding treaty may be set aside, so far as the State abrogating it is concerned, by one or the other parties to it, either through legislative or other competent state action, but the other party to the treaty may decline to be controlled by the action of the state abrogating the treaty.

Mr. ALLEN. The power to make includes the power to destroy or to modify the treaty, does it not?

Mr. CAFFERY. That principle involves the action of both parties to destroy, as both parties made the treaty.

Mr. ALLEN. The English Government may destroy the treaty if it desires to do so. There is no doubt about that, is there?

Mr. CAFFERY. So far as England is concerned it can, but it can not so far as the other signatory power is concerned, if it does not agree to the action of England.

Mr. ALLEN. Either one of the signatory powers may modify or entirely abrogate or destroy the treaty at its option, as I understand it.

Mr. CAFFERY. I do not understand international law that way.

Mr. ALLEN. We have repeatedly done so, have we not?

Mr. CAFFERY. We have done so in the case, I think, of the Chinese exclusion act.

Mr. ALLEN. Yes, sir. Would it be possible for us to make a treaty that we could not unmake or modify or change or abrogate if circumstances seem to warrant it?

Mr. BACON. Will the Senator from Louisiana allow me a moment?

Mr. CAFFERY. Let me answer that question first, and then I will yield to the Senator from Georgia.

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. CAFFERY. In a moment. Mr. President, that question goes down into the very roots of what a compact is. Any nation that is strong enough can abrogate any treaty. That is all there is about it. A treaty is a compact; it is a contract between two nations. No one party to a contract can set it aside at his will. A nation can set aside its treaty with another so far as its own nationality is concerned. The wanton abrogation of treaties is a just cause of war, and it depends therefore upon the physical power of the nation abrogating the treaty as to whether or not that abrogation is good in point of fact.

Mr. ALLEN. Of course if we abrogated the treaty—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. CAFFERY. Certainly.

Mr. ALLEN. If we would abrogate the treaty by legislative enactment or in any other form without the consent of the other signatory power, we would be responsible for whatever damage or injury might accrue to that nation. But we have the inherent power, I submit to the Senator, unquestioned and unquestionable, to abrogate a treaty at our pleasure, with the simple penalty following of answering for any damages that may be occasioned by that abrogation.

Mr. CAFFERY. Mr. President, I deny the proposition in toto. We have neither the moral right nor the physical power to do so if the other nation is the strongest.

Mr. BACON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. CAFFERY. Certainly.

Mr. BACON. I do not desire to engage in a discussion of the treaty further than simply to suggest that I think I can not be mistaken in the fact that the Supreme Court of the United States has decided that a treaty may be abrogated either by another treaty or by an act of Congress. It is recognized as a legal right of Congress to abrogate a treaty in such a manner and not an arbitrary right, as the Senator from Louisiana suggests. I can not now furnish him the decision, but I am quite certain that it can be found.

Mr. CAFFERY. I think the Senator from Georgia is technically right; but the Senator from Georgia knows as well as I do that the judiciary of the United States is bound by the action of the political power in political matters. The Supreme Court of the United States holds that so far as the United States is concerned it is bound by the action of its Legislature in abrogating a treaty. But there happens to be another party to the treaty. The Supreme Court of the United States does not say that the action of the United States Legislature in abrogating a treaty shall be binding upon the other party to the treaty. It does not say that it abrogates it entirely, but it says it abrogates it as far as the United States is concerned.

Mr. BACON. Will the Senator pardon me?

Mr. CAFFERY. Certainly.

Mr. BACON. I think the Senator is not correctly stating the principle, Mr. President. Of course, if a treaty can be abrogated by an act of Congress, it is as thoroughly abrogated as if it were a treaty abrogated between the original contracting parties. I think if the Senator will read the decisions, he will find that this position is not based, as he says, upon the simple exercise of arbitrary might, or that it can be in any manner recognized as a *casus belli*. It is the right of a government to withdraw from a treaty, unless there might be some expressed stipulation as to time. To say that the government which makes a treaty with another nation without fixing any stipulation as to how long it shall continue is thereby bound for all time, and that it is a cause of war if the government assumes to withdraw from it, I think is an untenable proposition.

Mr. ALLEN. Will the Senator from Louisiana permit me?

Mr. CAFFERY. Certainly.

Mr. ALLEN. I wish to come to the assistance of the Senator from Louisiana to a certain extent, if he will permit me to do so. In the very nature of things the Supreme Court of the United States has no jurisdiction whatever to determine the status of the other signatory power to a treaty. That question can not come within its jurisdiction. While the Supreme Court holds it, I believe, to be good doctrine that we have power to annul a treaty by a legislative enactment or by a new treaty, or by any other form of legal modification, in the very nature of things the jurisdiction of the Supreme Court of the United States must be confined to the status of the United States to that treaty, and not to the status of the other signatory power.

Mr. BACON. Whenever the United States by its act breaks a

treaty, it certainly can not withdraw itself from its obligations and keep the other power bound by that obligation. Whenever the obligation is severed, it is necessarily severed as to each.

Mr. ALLEN. If the Senator from Louisiana will permit me, I should like to ask the Senator from Georgia if he thinks the Supreme Court of the United States can declare the status of England to this treaty?

Mr. BACON. No; and I do not think that what I have said is legitimately liable to any such construction. But it follows as a necessary consequence that if it is within the legislative power of the United States by a legislative act to abrogate a treaty, when that legislative act does thus abrogate it, it releases not only this Government, but the government with which it formerly had the treaty obligation.

Mr. ALLEN. I submit to the Senator in the very nature of things we have no legislative power and the Supreme Court has no judicial power to absolve us from the consequences of a breach of treaty, notwithstanding we have the power to annul it. The argument of the Senator from Georgia would seem to imply that the decision of the Supreme Court of the United States absolves all parties, regardless of whom the parties may be.

Mr. CAFFERY. I congratulate my friend from Nebraska as coming around halfway, anyhow, to the correct doctrine.

Mr. FAULKNER. Mr. President—

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Louisiana yield to the Senator from West Virginia?

Mr. CAFFERY. Certainly.

Mr. FAULKNER. I ask the Senator from Louisiana, as well as the Senator from Georgia, whether there has been any decision of the Supreme Court to the effect that Congress could abrogate a treaty? I have never found one, and I have looked for it. But is it not the fact that under the peculiar language of our Constitution, which, I believe, is the only law of any country of that character, which provides that treaties shall be the supreme law of the land, the Supreme Court has simply held that any law passed by Congress subsequent to the ratification of a treaty which conflicts with that treaty, being a law of equal supremacy, repeals any provision of the treaty in conflict with it. It is on that doctrine that the Supreme Courts acts.

Mr. CAFFERY. The Senator from West Virginia is entirely correct, and it all comes around to the question at last as to whether the action of the Legislature of the United States is a total abrogation of a treaty or is an abrogation quoad the United States; that is all.

Mr. SPOONER. If Congress can annul it in part, it can annul it altogether.

Mr. CAFFERY. The qualification of the Senator from Georgia fits the case if the Legislature have the right to annul the treaty under the circumstances. The interjection of my friend from Wisconsin does not apply to international compacts. It would seem upon the face of the statement that if the legislative power of one country or any competent power of that country can abrogate a treaty, the treaty is abrogated to all purposes and to all parties. But that is not true. A treaty can only be abrogated for certain well-known causes. If it were not so, Mr. President, it would be utterly idle for nations to enter into treaties. Are they to be set aside at the caprice, at the will, of one party? Clearly not. But if there are proper causes for the abrogation of a treaty on the part of one of the signatory powers, then that treaty can be abrogated as to both parties.

Mr. ALLEN. Mr. President, I desire to ask the Senator from Louisiana a question.

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. CAFFERY. With great pleasure.

Mr. ALLEN. Who is to determine the proper cause for the abrogation of a treaty?

Mr. CAFFERY. The party that abrogates the treaty for just cause and a cause recognized by international law is the party to judge of the sufficiency of the cause.

Mr. ALLEN. In the first instance, the party abrogating the treaty must judge of the proper cause for its abrogation; but suppose that party should misapprehend the cause?

Mr. CAFFERY. Exactly. Now we come to solid ground.

Mr. ALLEN. Then you come to this proposition, that whether it is done for proper cause or for improper cause, if that expression is permissible, it does not relieve the party abrogating it from all the consequences that may flow legitimately from its abrogation. In other words, either party to a contract may violate the terms of the contract and refuse to carry it out, yet it does not relieve him from the status of answering to the other party for all damages or consequences flowing from its violation.

Mr. CAFFERY. The Senator from Nebraska has come very near the doctrine, Mr. President. The party abrogating a treaty of his own will does so at his own peril.

Mr. ALLEN. That is right.

Mr. CAFFERY. He must abrogate the treaty upon ground recognized to be good and valid for such a purpose. You can not abrogate a treaty because it is inconvenient to be performed. The very reason of the formation of a contract is to prevent persons from doing other than they might otherwise do or compelling them to do what they otherwise would not. It is for certain well-recognized facts or purposes that abrogations of treaties are permitted to be made ex parte under international law. For instance, suppose a treaty is made between the two signatory powers, and it is found afterwards that one of the signatory powers is being impaired in its sovereignty, some of its sovereign rights impaired, then that signatory power can signify to the other that the further performance of the stipulations of the treaty is against its sovereign rights. In such a case it can be abrogated. That is one of the causes. But to say that simply because one of the powers does not want to be bound, that it is not convenient for it to be bound, that it is not its present interest for it to be bound, is no ground whatever for the abrogation of a treaty.

Mr. BACON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Louisiana yield?

Mr. CAFFERY. Certainly.

Mr. BACON. I do not wish to interrupt the Senator unduly, but in order that my position may be clearly understood I desire to suggest as my view of it that it is not a question of reasonableness or unreasonableness; it is not a question of right or wrong; but it is a question of absolute right on the part of any government which has entered into treaty relations with another government at its will to end those treaty relations, unless there has been in the treaty a stipulation as to the length of time when those obligations shall continue as between them.

I beg the Senator's pardon. I will not trespass upon him further, and I do not do it now for the purpose of getting into a colloquy, but simply that my position may be correctly understood. The proposition, to my mind, is that if there has been no stipulation as to the length of time when the treaty shall continue, one of two things must necessarily follow—either there is an arbitrary, irresponsible right—and when I say "irresponsible" I mean "not responsible to the other party"—an arbitrary, irresponsible right in either government to end the treaty at its will, or else it can never be ended except by the consent of the two. I think the Senator will find upon an examination of the authorities that the right of a nation to arbitrarily end a treaty is one within its own discretion, without the consent of the other party.

Mr. ALLEN. Mr. President, will the Senator from Louisiana excuse me just a moment?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Nebraska?

Mr. CAFFERY. With pleasure.

Mr. ALLEN. I desire simply, Mr. President, with the consent of the Senator from Louisiana, to enter here my dissent to the doctrine just announced by the Senator from Georgia, which is a very dangerous and specious doctrine. The Senator says that under our Constitution we have the right—

Mr. BACON. No; not under our Constitution; I did not put it that way at all.

Mr. ALLEN. Very well. The Senator says we have a right, so he declares, to annul a treaty. I desire to enter my dissent from that doctrine. We have the power to do so, although, as a matter of fact, it may not be a right to do so.

Mr. CHILTON. The Senator from Louisiana seems to be very considerate, and I desire to ask him a question.

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Texas?

Mr. CAFFERY. With great pleasure.

Mr. CHILTON. I desire to ask the Senator from Louisiana if he regards the Clayton-Bulwer treaty as in force?

Mr. CAFFERY. Mr. President, for about a week I have been trying to state to the Senate at considerable length the reasons why I think the Clayton-Bulwer treaty is as good to-day as it was when it was made.

Mr. CHILTON. Then I desire to ask the Senator if he advocates the building of an isthmian canal under the joint protection of Great Britain and the United States?

Mr. CAFFERY. I do not, Mr. President.

Mr. CHILTON. Then I desire to ask the Senator from Louisiana if he believes the Clayton-Bulwer treaty is still in force, and does not believe in constructing a canal under the joint protection of Great Britain and the United States, if he believes in constructing the isthmian canal at all?

Mr. CAFFERY. I believe in constructing the isthmian canal upon the very lines and according to the very principles laid down at length in the amendment which I had the honor to offer to the pending bill.

Now, Mr. President, let me go back to the peculiar doctrine we have heard upon the floor in regard to the ex parte right of one of

the signatory parties to a treaty to abrogate it at will. The Senator from Georgia [Mr. BACON] makes a distinction between a treaty with some time limit and a treaty with no time limit. That distinction is very shadowy; it marks no line of distinct principle; it marks no line of any principle why a treaty with a time limit should not be abrogated at the will of one of the parties to it and a treaty without a time limit should be so abrogated. A treaty is almost precisely like a contract between two individuals. The only difference is in the matter of the sanction to the treaty.

The moral force, the principle of good faith, is as strong in the one as in the other, and stronger, and it ought to be stronger in an international compact, inasmuch as there is no municipal tribunal before which you can go to enforce the contract. Much more, therefore, is it necessary that there should be good faith and should be honor in an international contract than in a municipal contract. If nations do not want to be bound by their treaties, they ought not to enter into them. If the doctrine set up on this floor is correct, the nations of the world have been going through an idle performance in forming treaties if they can be abrogated and set at naught by the will of one of the parties to a treaty.

Circumstances may occur affecting international life, affecting international sovereignty; circumstances may occur putting it beyond the power of one of the signatory parties to comply with a treaty, as in the case of Hawaii. When the nationality of one of the signatory parties is absorbed into another state and becomes merged into another state, then the treaty obligations of the power thus absorbed fall to the ground as a matter of course. Considerations of that sort in themselves will render a treaty nugatory, but the nation that undertakes to violate a treaty without cause, undertakes, first, to measure its strength with that of the power with which it has contracted the treaty. Does anybody upon this floor suppose that if England or France had a binding treaty with the United States stipulating for reciprocal obligations between them and the United States, and that England or France should wantonly violate one of those treaty obligations, spit in our face, as it were, we would not take up arms to avenge such an insult?

Mr. BACON. That is not the question, if the Senator will pardon me. The question is not whether we violate—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. CAFFERY. The Senator from Louisiana yields with pleasure.

Mr. BACON. It is not a case where we violate any stipulation in an existing treaty, but the question is where one of the Governments elects to entirely absolve itself from the treaty.

Mr. CAFFERY. Exactly.

Mr. BACON. It is a very different thing.

Mr. CAFFERY. Take an illustration. The United States have an extradition treaty with France, for instance, and under that a criminal fleeing from the United States to France must be extradited upon the requisition of the United States. A gross criminal, an atrocious wretch, escapes from the United States and goes to France. Without a word to the United States the French Republic abrogates the treaty, exercises that high sovereign right which the Senator from Georgia claims that one of the signatory powers to a treaty has a right to exercise—

Mr. BACON. Mr. President—

Mr. CAFFERY. Pardon me a moment. Abrogation is worse than violation by one of the signatories. You violate the whole treaty, you set it aside, deliberately and formally. You say to the other power, "We have made a contract; we have bound ourselves by mutual good faith, and now, despite this solemn obligation, we will undertake on our part to set aside this contract and hold this compact for naught."

Mr. BACON. If the Senator will pardon me, I think his illustration is not apt, in this: If, while the treaty is in existence, a criminal should escape from this country into France, and after having reached the shores of France, while the treaty was in force, the French Government should say, "We will not be bound by the treaty," it would be a very serious breach of an existing treaty obligation; but if there were such a treaty between this country and France, and at a time when there was no particular case of that kind the French Government should elect to say, "We will end this treaty," there would certainly be no affront to this Government, and no ground for complaint.

Mr. CAFFERY. Mr. President—

Mr. MONEY. Will the Senator from Louisiana permit me to ask a question?

Mr. CAFFERY. Certainly.

Mr. MONEY. Referring to the remark made by the Senator from Georgia [Mr. BACON], I wish to ask, Does the Senator believe that there is any substantial difference between a nation absolving itself from a treaty and a nation violating a treaty?

Mr. CAFFERY. None whatever; only an abrogation is greater, because it is a violation of all the stipulations of the treaty, while a specific violation impairs some one of the articles of the treaty. An abrogation is much worse.

Mr. BACON. As the Senator from Mississippi [Mr. MONEY] directed an inquiry—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. CAFFERY. Certainly.

Mr. BACON. As the Senator from Mississippi directed an inquiry as to what I have said, it is possibly proper, with the permission of the Senator from Louisiana, that I should reply to it, and not the Senator from Louisiana.

I think that there is a very vast difference between a failure to observe the obligation of an existing treaty and an election on the part of either government to say that it will no longer maintain treaty relations, and that, therefore, there is not a violation of a treaty in its abrogation, but there is an ending of it.

Mr. CAFFERY. Mr. President—

Mr. MONEY. Will the Senator from Louisiana permit me a moment?

Mr. CAFFERY. Certainly.

Mr. MONEY. If the remark of the Senator from Georgia applies to the treaty under consideration—the Clayton-Bulwer treaty—we are not in a particularly good attitude to either absolve ourselves from it or give notice of abrogation or to violate it, for the reason that Great Britain, upon a difference of construction, has twice offered to arbitrate and once offered to abrogate, and we declined the proposition to do either.

Mr. CHILTON. Will the Senator from Louisiana permit me?

Mr. CAFFERY. Certainly.

Mr. CHILTON. The Senator from Mississippi [Mr. MONEY] is entirely mistaken in regard to the modern status of that matter. That was away back yonder, when the original differences existed in regard to Ruatan Bay and Islands, etc. Great Britain has distinctly declined to consider the question of abrogating the Clayton-Bulwer treaty within the last twenty years, and especially when Secretary Blaine made that proposal through Minister Lowell—distinctly declined to consider the question and would not take up the question of abrogating it at all.

While I am on my feet, if the Senator from Louisiana will permit me, he states that he is in favor of building the Nicaragua Canal, but he is not in favor of building it under the jurisdiction of Great Britain and the United States. Therefore, he is not in favor of building it under the terms of the Clayton-Bulwer treaty, but he is in favor of building it under the terms of the amendment which he has offered to the pending bill. That amendment provides for the proposal by the United States to the Government of Great Britain of an abrogation of that treaty. If that proposition is rejected by the Government of Great Britain, I wish to know what the Senator from Louisiana would do in regard to the construction of the Nicaragua Canal?

Mr. CAFFERY. I will answer that question when I commence to discuss the provisions of the amendment which I have offered; but first as to this treaty. There appears to be some looseness of expression in regard to the power of one of the signatory parties to abrogate its contracts. The Senator from Wisconsin [Mr. SPOONER] has kindly furnished me United States Reports 124, containing the case of *Whitney vs. Robertson*, page 104, from which I read as follows:

A treaty is primarily a contract between two or more independent nations, and is so regarded by writers on public law. For the infraction of its provisions a remedy must be sought by the injured party through reclamations upon the other. When the stipulations are not self-executing they can only be enforced pursuant to legislation to carry them into effect, and such legislation is as much subject to modification and repeal by Congress as legislation upon any other subject. If the treaty contains stipulations which are self-executing—that is, require no legislation to make them operative—to that extent they have the force and effect of a legislative enactment. Congress may modify such provisions, so far as they bind the United States, or supersede them altogether.

By the Constitution a treaty is placed on the same footing and made of like obligation with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other. When the two relate to the same subject, the courts will always endeavor to construe them so as to give effect to both, if that can be done without violating the language of either; but if the two are inconsistent, the one last in date will control the other, provided always the stipulation of the treaty on the subject is self-executing. If the country with which the treaty is made is dissatisfied with the action of the legislative department, it may present its complaint to the executive head of the government, and take such other measures as it may deem essential for the protection of its interests.

There is the whole law.

Mr. BACON. Will the Senator permit me?

Mr. CAFFERY. Certainly; I yield to the Senator from Georgia.

Mr. BACON. Mr. President, there are, of course, certain treaties which, having once been entered into by a government, that government can not withdraw from its obligations without a violation of right and without giving a right of redress to the other government. For instance, if this Government should by a treaty undertake to pay another government a certain sum of money in satisfaction of a certain claim, and after having entered into such a treaty as that should arbitrarily assume to withdraw from it, of course it might be a *casus belli*. That is one illustration. I do not know what is the particular treaty the decision which the

Senator has read has reference to, but, of course, every decision must be read with reference to the particular thing the court has in view.

But there is another class of treaties—and those are the ones which I have in mind when I speak of the right of the Government to withdraw from them—that can not be controlled by such a rule as that. For instance, a reciprocity treaty, by which this Government undertakes that in consideration that another government will permit our products to enter free into its country, we will let the products of that country come free into ours. If a treaty of that kind is made between this Government and another government, and no time is set which shall terminate it, I say unless there is a time limit it is within the arbitrary power of this Government to elect when that agreement shall end. Of course, so long as the treaty exists this Government is bound by its provisions and must carry out its contract with the other government; but whenever this Government says it is of the opinion that it is not to the interests of its people that such a treaty shall continue, it is within the power and right of this Government so to say, and, by so saying, to put an end to it, regardless of whether France, for instance, if it were the reciprocity government, should refuse to consent to it.

That is the point I make, and I do not think there is anything in the decision which the Senator has read that in any manner militates against any such proposition as that.

Mr. SPOONER. With the permission of the Senator from Louisiana, I should like to ask the Senator from Georgia if the exception which he states is any more than one phase of the general principle that the rights vested under a treaty while it is in force are not affected by its abrogation or modification?

Mr. BACON. Why, certainly, all the rights which have grown up under the treaty the other government has the right to have enforced; but whenever this Government says that, regarding all rights which have grown up and protecting them, it will end a treaty, it has got a right to do so—not only the power, but the right. Of course it must protect all the rights which have grown up under a treaty so long as it exists.

Mr. CAFFERY. I think my friend from Georgia is not in accord with the opinion I have read. The reciprocal obligations it mentions upon their face do not illustrate the proposition which he advances. That proposition is the bald one, that a treaty can be abrogated by a nation whenever its interests are not subserved by its enforcement.

Mr. BACON. Provided no obligation has accrued which is violated.

Mr. CAFFERY. You do not want to abrogate them *ex post facto*, but in futuro?

Mr. BACON. Yes.

Mr. CAFFERY. There is no distinction at all, Mr. President, in the statement, whether it gives them a retroactive effect or whether it gives them only an effect in futuro. The principle laid down in this decision is substantially that which I announced, that, so far as the courts of our country are concerned, they must regard a treaty as a law, and that any law, therefore, inconsistent with the treaty, or any law which repeals that treaty, must meet with the judicial acquiescence. They can not determine whether or not the political power or branch of the Government has acted properly or improperly; but this decision lays down the doctrine that the other party to the treaty has a ground of reclamation for any damages that it may suffer by reason of any change of the treaty or an abrogation of the treaty, or it may resort to whatever measures it thinks proper to maintain its rights under the treaty.

That is the doctrine I announced. If there is a wanton, a useless, a reckless violation of the treaty, it has been and is now a just cause of war. If there is nothing in the treaty of such a character as to make it necessary to be binding upon both parties, then its abrogation by one of the parties would not be a serious cause of complaint; but just simply because one of the parties thinks it to his interests not to observe a treaty is the very reason why the other party to the contract entered into it, and why it ought to be binding.

Mr. BACON. I simply desire to ask the Senator one question, and it is this: Suppose that this Government had a reciprocity treaty with France, and without violating any rights which had accrued up to the date when it desired to make the election of which I speak, this Government should say to France by means of a legislative enactment that it would no longer observe that treaty relation; in other words, that by its act of Congress it withdrew its further consent to those treaty relations, could France, by reason of the fact that the continuance of that reciprocity treaty was to its advantage, possibly have any claim against this Government for saying it would withdraw from that treaty, there having been no time set in the treaty during which it should continue?

Would the fact that a treaty which was advantageous to France was abrogated by this Government give France any claim of any kind against this Government on account of its abrogation if all

rights which had accrued up to the date of its abrogation were protected?

Mr. CAFFERY. It depends upon the character of the treaty.

Mr. BACON. I say that character of treaty.

Mr. CAFFERY. If the treaty were merely based upon a conditional obligation that one country would permit the imports of the other upon certain terms, as long as either country granted the same terms for imports of the other that treaty could be set aside at any moment.

Mr. BACON. By either Government?

Mr. CAFFERY. Yes, sir; if it was a mere conditional treaty.

Mr. BACON. That is the only question.

Mr. CAFFERY. If France permitted the imports of the United States as long as the United States would permit the imports of France, that would be a conditional treaty; but if the treaty were absolute in its terms that both nations would—and you may put it indefinitely—permit the imports of the other to enter its ports free, or under certain less duties than those charged upon other nations, and the United States were to abrogate that treaty without saying a word to France, that Government would have a perfect right to make reclamation against the Government of the United States for every single dollar the French people would have lost by that transaction, and it might possibly be a cause of war. Less violations have been a cause of war.

Mr. President, are treaties real contracts or not? Are nations playing a game of counterfeit or not when they make treaties? If treaties are of no binding force, why make them? It is child's play, to my mind, to say that one of the powers signing a treaty can violate it just whenever its interests or its imagined interests prompt it to do so. People in a compact or contract in civil life always compromise somewhat when they enter into contracts. One man gives up certain rights in consideration of obtaining others; a contract sometimes pinches; it is sometimes very inconvenient to observe it, just precisely like a treaty; and if the doctrine is set up that because a contract is peculiarly injurious to a nation it can violate it, why, sir, then the good faith of nations is a myth, it is a dream, it is a piece of imagination.

The first idea I have in offering this amendment is to clear the ground of any complications with Great Britain by reason of the United States constructing this canal. I have not the slightest doubt—and I have been almost assured by one who was in a position to justify the statement—that it was not thought Great Britain would interpose the slightest objection to such abrogation of the treaty or such modification of the treaty as would allow the United States the right of constructing the canal, to be owned by itself and to be under its own exclusive jurisdiction. The conditions have changed since the Clayton-Bulwer treaty was signed. The United States, upon its western frontier, have enlarged to the most extraordinary degree. The trade between Washington, Oregon, California, and the Atlantic is such as that the trade ought to have a water line all the way down the Pacific and through the isthmus and up the Atlantic.

Mr. BACON. If the Senator from Louisiana will permit me—I will not take any time to read it, but in order that it may appear in the proper connection I desire to say that the doctrine for which I contend is fully laid down by the Supreme Court in 130 United States Reports, page 601, giving the reason why the right of Congress necessarily exists to arbitrarily end treaty relations. That right is distinctly avowed and maintained in this opinion, and the court gives a remarkable instance in which the right has been exercised—not simply the power, but the right, because it is a right—in the case of the abrogation of the treaty with France in 1798; and in the decision the act of Congress is set out in full. If the Senator will pardon me, I will read just one sentence from that act:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention heretofore concluded between the United States and France; and that the same shall not henceforth be regarded as legally obligatory on the Government or citizens of the United States.

I beg pardon of the Senator for this interruption. I say I will not take time to read the opinion of the court. I simply wish to note it in this connection in order that it may appear in justification of what I have said.

Mr. CAFFERY. I will observe to my friend from Georgia that, according to my remembrance, that act of Congress was predicated upon a gross violation of the treaty by France, and therefore there was a perfect right to declare the abrogation of the treaty, for the violation of a treaty by one party is good ground for its abrogation by the other.

Mr. BACON. That is true in that particular case; but if the Senator will read the opinion—

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Georgia?

Mr. CAFFERY. With pleasure.

Mr. BACON. I simply desire to say that while the criticism of the Senator from Louisiana is strictly correct as to that particular

act, if the Senator will read the opinion of the court, he will find that it does not limit the right of Congress to a case such as that which he cites as an example, but lays it down as a general proposition that because of a change of policy and change of circumstances Congress may by act arbitrarily end a treaty.

I beg pardon of the Senator. I did not desire to reopen the discussion. I simply desired to call attention to that.

Mr. CAFFERY. I will remark only, in answer to that question, that Congress has a perfect physical right to abrogate any treaty with or without cause, but it has no moral right to do so.

Mr. BACON. Physical power.

Mr. CAFFERY. Physical power. "Power" is the better word.

Mr. President, the possessions that we have upon the western coast, augmenting as they have in population, commerce, and wealth, justify the United States in providing that country with water communication with the East. That I am earnestly in favor of. That I believe to be a proper and just thing. I have never found that we had the constitutional right to construct a canal or any other work of a peaceful character on foreign territory; and it was with the hope of obviating both objections which arose in my mind on account of the provisions of the Clayton-Bulwer treaty, and the constitutional barrier that arose in the matter of constructing public works upon foreign territory, that I provide in this amendment both for the abrogation or modification of the Clayton-Bulwer treaty and for the purchase in full fee of such an amount of land as will be necessary to construct a proper canal through the Isthmus.

I have as grave doubts about the right of the United States to construct a canal across foreign territory in the Isthmus of Darien as I have about the right of the United States to construct a canal from the Black Sea to the Baltic. There is no sort of difference in principle. Whenever the right is claimed in one instance it can be exercised in all. I do not want the Maritime Canal Company in there, because I think it is an obstruction. I think it places the United States in an unseemly attitude when they invoke the intervention of a shadowy corporation to do a great national and international work.

Here is a company that has about gone out of existence except for the purpose of bringing the United States in propria persona before a magistrate's court in the Republic of Nicaragua to be sued for petty claims. We want the territory, to hold it, to own it, to be free from these annoyances which the Nicaraguan Republic could inflict upon us if we were operating by and through a canal company with no power, no prestige, and with only the capacity to get the United States into mischief or to allow Nicaragua to annoy it.

Now, Mr. President, then I concluded that whatever the value of these concessions was, whatever the just amount of money the Maritime Canal Company had paid out, if the United States becomes its heir, constructed the canal upon its route, the United States ought to provide remuneration to it and to all others holding concessions that are good. The Grace concession I consider of no value. The concessions to the Maritime Canal Company I consider of small value. There is no question but that the time limit has about expired. There is no question in my opinion that these concessions have but a very small value; but whatever they are worth, much or little, I think it is incumbent upon the United States to pay for their real value and wipe all these incumbrances and give a clear sweep to construct the canal. That is my view of it.

It is with no view or purpose to hinder the construction of the canal, but it is with a view and purpose of having the canal constructed by this great Republic and to keep out of any complication with a private company that has no cause of existence whatever after the United States come to the front. If the company has property valuable to the United States, we will pay its value. But what have our people, whom the Government represents, to do with speculative companies, holding their rights under them, contracting great works under their plans and engineers, and being called into court by a Nicaraguan official for any or no cause. The whole thing is humiliating. Congress has no right to lower the dignity of our country.

Mr. CLAY. Before the Senator from Louisiana takes his seat I wish to ask him a question. I understand the Senator to say that the best course for us to pursue is for this Government to go and treat directly with the Republics of Nicaragua and Costa Rica, acquire the right of way, own the absolute fee, the title to the property, and to construct the canal directly by the Government. I wish to ask the Senator, is it not true that the situation is such that it would be very difficult to accomplish that? In the first place, the Maritime Canal Company owns these franchises, and alleges that they have not expired, and the company is composed of citizens of the United States.

If we go there and attempt to treat for the same right of way, with their rights existing, with one of the Republics declaring that they have been forfeited and the company declaring that they have not been forfeited, are we treating our own citizens properly? In

the next place, suppose that the Republics of Nicaragua and Costa Rica should refuse to sell us the right of way. They have already sold the right of way to another company for a certain length of time; that is, the exclusive right to build the canal. They come in and say, "We can not treat with you now, simply because we have treated with a private company of the United States." Would we not be in trouble then? And when we give up all the rights that the Maritime Canal Company have at this time and fail to utilize those concessions, is it not true that in all probability we will not be able to construct the canal at all for some time to come?

Mr. CAFFERY. So far as the question relates to the Maritime Canal Company, the Senator has not followed the course of that company or he would not inquire as to the value of its concession. That company has lived upon the hope of the United States furnishing it with the money to construct the canal. It has not done a lick of work for nine years. It will not do a lick of work in ninety-nine years, in my opinion. The Maritime Canal Company of Nicaragua will die of inanition, want of nutrition, want of the money of the taxpayers of the United States, if just let alone. All you have to do with that company is to leave it alone with its franchise, and it will expire. There will never be any breath of financial life in it unless pumped into its lungs by the United States.

Again, any of these concessions can be expropriated by the Government of Nicaragua. There is no difficulty in that regard. I do not know much about the Grace concessions and care much less, but the Grace concessions are predicated, I understand, upon the securing of an act of incorporation from Congress. I may be incorrect in that respect. But at least the hope of the company is founded upon a subvention from the United States of some \$50,000,000. The United States would not be quite so gracious, if it were to undertake the construction of the canal by itself, as to subvene this second company with \$50,000,000. That is certain.

Now, Mr. President, these concessions, if they can not be purchased by negotiation, can certainly be expropriated by the Government of Nicaragua or whatever government has jurisdiction over the territory the canal runs through. I understand that Costa Rica is interested only so far as the joint proprietorship, if I may use that expression, goes of a part of the San Juan River. That is the extent of its jurisdiction or its right or interest in the canal. The major part of the route lies in the Republic of Nicaragua.

I apprehend no difficulty whatever from the question propounded to me by my honorable friend the Senator from Georgia, for, in the first place, the Maritime Canal Company, if they would not accept the terms which the United States might propose to them for the acquisition of their concessions, could be expropriated. In the second place, I will remark to my honorable friend that a question, and a very serious one, arises between Nicaragua and the Maritime Canal Company as to the validity of the concession. The State of Nicaragua contends that the Maritime Canal Company has violated its concession all along.

Mr. CLAY. They have not a right to decide that.

Mr. CAFFERY. I do not say that they have, but I say that we will at least be buying a lawsuit if we construct under the authority of the concessions to Nicaragua, and a very serious lawsuit, Mr. President, and the serious character of that lawsuit will arise from the fact that the bill transfers to the United States, a foreign government, the exclusive practical control of the canal in the teeth of the concessions of Nicaragua. Besides all these questions that arise on the time limit, a very serious question will arise whether the Republic of Nicaragua has not a right to 6 per cent of the warrants the United States is going to issue, for it is manifest to my friend the Senator from Georgia that the Republic of Nicaragua will get absolutely nothing for its concession under the terms of the bill. It will get a lot of stock which will be rendered utterly valueless when the United States, by its ipse dixit, at its own time and pleasure, forecloses the mortgage to secure the amount of money that it may advance to build the canal. There is a mortgage granted by the proposed act. That mortgage exists. It can be foreclosed without judicial proceedings. Foreclosing the mortgage and buying the rights and the franchises of the Maritime Canal Company, what on earth is the stock of Nicaragua worth? It is not worth a cent.

Now, I will close my few remarks by stating that in my deliberate judgment this canal will only be built by the United States; that it can only be built by the United States; that it ought only to be built by the United States, acting for itself, building and constructing the canal according to the methods that we adopt in constructing public works in the United States, building and constructing and owning and managing the canal or property over which the United States has exclusive jurisdiction, untrammelled and unembarrassed by the thousand questions that could grow out of the jurisdiction of Nicaragua or any other little state over whose territory the canal might run, and that the United States ought only to undertake this great venture after doing full and

ample justice to everybody who owns any concession, paying them whatever the concession may be worth.

I do not want my country, Mr. President, to fly in the face of a binding treaty and set it aside without saying as much as by your leave. Great Britain is patting us upon the back to-day. The lion may be roaring to-morrow. We appear to be engaged in a common effort to extend our territory, to expand our national growth. Expansion brings about embroilment with foreign people, and in that embroilment our great parents across the water would like to have their children over here, much more powerful than they are, to help them out of any possible scrape. That is the reason why Great Britain is so complacent at this period.

But be that as it may, Mr. President, I have not the slightest doubt that this treaty would be set aside, so far as the wishes of the United States in that direction might go, in order to permit us to construct the canal. I will say that the canal perhaps ought to be neutralized, but the neutralization of a waterway like this in case of war would amount to but little, for the power that would hold it, the power that had the nearest approach to it—and that power would be the United States—would certainly not permit it to be used against it for the purposes of its enemies.

Mr. CHILTON. Will the Senator from Louisiana excuse me? Will he tell me what he would do under his bill if Great Britain should decline to abrogate the Clayton-Bulwer treaty? What would he do?

Mr. CAFFERY. The face of the world was largely changed by the acquisition of Hawaii, in my opinion. That acquisition made it necessary for the United States to have a close communication with it. Although I do not think the acquisition of Hawaii is *per se* a condition that would warrant us in the *ex parte* abrogation of the treaty, I have no doubt whatever that it would work favorably with Great Britain as a good reason why it should be abrogated.

But if the question of the Senator relates to a condition of this kind, that the construction of the canal is simply desired upon the part of the people of the United States for the purposes of better construction, of more rapid communication, of a more complete control, then I would say to him if Great Britain would not abrogate the treaty unless with the provision that the canal must be constructed under perfect neutrality, we would be bound by her terms. But, sir, if we must build the canal, treaty or no treaty, let the United States do it—no sheltering behind a shadow, no subterfuge, but boldly and openly say to the world and to Great Britain that the great Republic is going to do the work. Who will say nay?

APPENDIX.

WITHDRAWAL OF TREATY BETWEEN UNITED STATES AND NICARAGUA FOR CONSTRUCTION OF INTEROCEANIC CANAL.

To the Senate of the United States:

For the purpose of their reexamination, I withdraw certain treaties and conventions now pending in the Senate, which were communicated to that body by my predecessor in office; and I therefore request the return to me of the commercial convention between the United States and the Dominican Republic, which was transmitted to the Senate December 8, 1884; of the commercial treaty between the United States and Spain, which was transmitted to the Senate December 10, 1884, together with the supplementary articles thereto of March 2, 1885, and of the treaty between the United States and Nicaragua for the construction of an interoceanic canal, which was transmitted to the Senate December 10, 1884.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, March 23, 1885.

[Mr. J. C. B. Davis, Notes, etc.]

At the close of the wars of Napoleon, the treaty of 1795 with Spain alone, of all of the commercial treaties, survived. President Madison contemplated using the opportunity to mold all the treaties of this nature into a general system. Mr. Monroe, in an early stage of negotiations with Holland, for this purpose, informed the Dutch minister at Washington that "the treaties between the United States and some of the powers of Europe having been annulled by causes proceeding from the state of Europe for some time past, and other treaties having expired, the United States have now to form their system of commercial intercourse with every power, as it were, at the same time." But the only general commercial treaties which Monroe succeeded in concluding, either as Secretary of State under President Madison or as President with John Quincy Adams as Secretary of State, were the treaty of 1815 with Great Britain, the limited arrangements made with France in 1822, and the treaty with Colombia in 1824.

[President Cleveland, first annual message, 1885.]

Early in March last war broke out in Central America, caused by the attempt of Guatemala to consolidate the several states into a single government. In these contests between our neighboring states the United States forbore to interfere actively, but lent the aid of their friendly offices in depreciation of war and to promote peace and concord among the belligerents, and by such counsel contributed importantly to the restoration of tranquillity in that locality.

Emergencies growing out of civil war in the United States of Colombia demanded of the Government at the beginning of this Administration the employment of armed force to fulfill its guarantees under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama. Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to "positively and efficaciously" preventing the transit and its accessories from being "interrupted or embarrassed."

The execution of this delicate and responsible task necessarily involved

police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia. The prompt and successful fulfillment of its duty by this Government was highly appreciated by the Government of Colombia, and has been followed by expressions of its satisfaction. High praise is due to the officers and men engaged in this service. The restoration of peace on the Isthmus by the reestablishment of the constituted Government there being accomplished, the forces of the United States were withdrawn." (S. Op., 4, Wirt., 1855.)

Colombian vessels are entitled, under the treaty with the United States, to make repairs in our ports when forced into them by stress of weather, but they can not enlist recruits there, either from among our citizens or foreigners, except such as may be transiently within the United States.

[Mr. Marcy, Secretary of State, to Mr. Borland, December 30, 1863. MSS. Inst., Am. St.]

In relation to the Clayton and Bulwer treaty, about which so much is said in your dispatches, I have only to remark that this Government considers it a subsisting contract and feels bound to observe its stipulations so far as by fair construction they impose obligations upon it.

If Great Britain has failed, or shall fail, on her part to fulfill the obligations she has therein assumed, or if she attempts to evade them by a misconstruction of that instrument, the discussions that may arise on these subjects must necessarily take place between the parties to it. The views taken of that treaty by the United States and your course in relation to it, pointed out in your first instructions, will be observed until you receive notice of their modification. In these instructions you were furnished with the views of one of the contracting parties (Great Britain), but at the same time you were informed that the United States did not concur in them.

In the negotiations at London, in regard to the affairs of Central America, the meaning of that instrument will come directly under discussion. So far as respects your mission, you will regard it as meaning that the American negotiator intended when he entered into it, and what the Senate must have understood it to mean when it was ratified, viz, that by it Great Britain came under engagements to the United States to recede from her asserted protectorate of the Mosquito Indians, and to cease to exercise dominion or control in any part of Central America. If she had any colonial possessions therein at the date of the treaty, she was bound to abandon them, and equally bound to abstain from colonial acquisitions in that region. In your official intercourse with the States of Central America, you will present this construction of the treaty as the one given to it by your Government.

"It is believed that Great Britain has a qualified right over a tract of country called the Belize, from which she is not ousted by this treaty, because no part of that tract, when restricted to its proper limits, is within the boundaries of Central America."

STATEMENT OF MR. BUCHANAN FOR LORD CLARENDON.

LEGATION OF THE UNITED STATES,
London, January 6, 1854.

Mr. Monroe, one of our wisest and most discreet Presidents, announced in a public message to Congress in December, 1823, that "the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered subjects for future colonization by any European powers." This declaration has since been known throughout the world as the "Monroe doctrine," and has received the public and official sanction of subsequent Presidents, as well as of a large majority of the American people. Whilst this doctrine will be maintained whenever, in the opinion of Congress, the peace and safety of the United States shall render this necessary, yet to have acted upon it in Central America might have brought us into collision with Great Britain, an event always to be deprecated, and, if possible, avoided. We can do each other the most good and the most harm of any two nations in the world, and therefore it is our strong mutual interest, as it ought to be our strong mutual desire, to remain the best friends. To settle these dangerous questions, both parties wisely resorted to friendly negotiations, which resulted in the convention of April, 1850. May this prove to be instrumental in finally adjusting all questions of difficulty between the parties in Central America, and in perpetuating their peace and friendship.

Surely the Mosquito Indians ought not to prove an obstacle to so happy a consummation.

STATEMENT OF LORD CLARENDON FOR MR. BUCHANAN.

FOREIGN OFFICE, May 2, 1854.

It was never in the contemplation of Her Majesty's Government, nor in that of the Government of the United States, that the treaty of 1850 should interfere in any way with Her Majesty's settlement at Belize or its dependencies. It was not necessary that this should have been particularly stated, inasmuch as it is generally considered that the term "Central America"—a term of modern invention—could only appropriately apply to those states at one time united under the name of the "Central American Republic," and now existing as five separate republics; but in order that there should be no possible misconception at any future period relative to this point the two negotiators at the time of ratifying the treaty exchanged declarations to the effect that neither of the Governments they represent had meant in such treaty to comprehend the settlement and dependencies in question.

Mr. Clayton's declaration to Her Majesty's Government on this subject was ample and satisfactory, as the following extract from his note of July 4, 1850, will show:

"The language of the first article of the convention concluded on the 19th day of April last between the United States and Great Britain, describing the country not to be occupied, etc., by either of the parties, was, as you know, twice approved by the Government, and it was neither understood by them nor by either of us (the negotiators) to include the British settlement in Honduras (commonly called British Honduras, as distinct from the State of Honduras), nor the small islands in the neighborhood of that settlement which may be known as its dependencies."

"To this settlement and these islands the treaty we negotiated was not intended by either of us to apply. The title to them it is now and has been my intention throughout the whole negotiation to leave as the treaty leaves it, without denying or affirming or in any way meddling with the same, just as it stood previously."

"The chairman of the Committee on Foreign Relations of the Senate, the Hon. W. B. King, informs me that the Senate perfectly understood that the treaty did not include British Honduras."

Such having been the mutual understanding as to the exception of the settlement of Belize and its dependencies from the operation of the treaty, the only question relative to this settlement and its dependencies in reference to the treaty that can now arise is as to what is the settlement of Belize and its dependencies; or, in other words, as to what is British Honduras and its dependencies.

Her Majesty's Government certainly understood that the settlement of Belize, as here alluded to, is the settlement of Belize as established in 1850, and it is more warranted in this conclusion from the fact that the United States had, in 1847, sent a consul to this settlement, which consul had received

his exequatur from the British Government, a circumstance which constitutes a recognition by the United States Government of the settlement of British Honduras under Her Majesty as it then existed.

Her Majesty's Government at once states this, because it perceives that Mr. Buchanan restricts the said settlement within the boundaries to which it was confined by the treaty of 1786, whilst Her Majesty's Government not only has to repeat that the treaties with old Spain can not be held, as a matter of course, to be binding with respect to all the various detached portions of the old Spanish-American monarchy, but it has also to observe that the treaty of 1786 was put an end to by a subsequent state of war between Great Britain and Spain; that during that war the boundaries of the British settlement in question were enlarged; and that when peace was reestablished between Great Britain and Spain no treaty of a political nature, or relating to territorial limits, revived those treaties between Great Britain and Spain which had previously existed.

Her Majesty's Government, in stating this fact, declares distinctly, at the same time, that it has no projects of political ambition or aggrandizement with respect to the settlement referred to, and that it will be its object to come to some prompt, fair, and amicable arrangement with the states in the vicinity of British Honduras for regulating the limits which should be given to it, and which shall not henceforth be extended beyond the boundaries now assigned to them.

REMARKS BY MR. BUCHANAN IN REPLY TO LORD CLARENDON'S STATEMENT OF MAY 2.

LEGATION OF THE UNITED STATES,
London, July 28, 1856.

In regard to Belize proper, confined within its legitimate boundaries, under the treaties of 1783 and 1786, and limited to the usufruct specified in these treaties, it is necessary to say but a few words. The Government of the United States will not, for the present, insist upon the withdrawal of Great Britain from this settlement, provided all the other questions between the two Governments concerning Central America can be amicably adjusted. It has been influenced to pursue this course partly by the declaration of Mr. Clayton, of the 4th of July, 1850, but mainly in consequence of the extension of the license granted by Mexico to Great Britain under the treaty of 1826, which that Republic has yet taken no steps to terminate.

It is, however, distinctly to be understood that the Government of the United States acknowledges no claim of Great Britain within Belize except the temporary "liberty of making use of the wood of the different kinds, the fruits, and other produce in their natural state," fully recognizing that the former "Spanish sovereignty over the country" belongs either to Guatemala or to Mexico.

In conclusion, the Government of the United States most cordially and earnestly unites in the desire expressed by "Her Majesty's Government not only to maintain the convention of 1850 intact, but to consolidate and strengthen it by strengthening and consolidating the friendly relations which it was calculated to cement and perpetuate." Under these mutual feelings it is deeply to be regretted that the two Governments entertain opinions so widely different in regard to its true effect and meaning.

[President Buchanan, first annual message, 1857.]

Whilst it is greatly to the interest, as I am convinced it is the sincere desire, of the Governments and people of the two countries to be on terms of intimate friendship with each other, it has been our misfortune almost always to have had some irritating, if not dangerous, outstanding question with Great Britain.

Since the origin of the Government we have been employed in negotiating treaties with that power, and afterwards in discussing their true intent and meaning. In this respect, the convention of April 19, 1850, commonly called the Clayton and Bulwer treaty, has been the most unfortunate of all; because the two Governments place directly opposite and contradictory constructions upon its first and most important article.

Whilst, in the United States, we believed that this treaty would place both powers upon an exact equality by the stipulation that neither will ever "occupy, or fortify, or colonize, or assume, or exercise any dominion" over, any part of Central America, it is contended by the British Government that the true construction of this language has left them in the rightful possession of all that portion of Central America which was in their occupancy at the date of the treaty; in fact, that the treaty is a virtual recognition on the part of the United States of the right of Great Britain, either as owner or protector, to the whole extensive coast of Central America, sweeping round from the Rio Hondo to the port and harbor of San Juan de Nicaragua, together with the adjacent Bay Islands, except the comparatively small portion of this between the Sarstoon and Cape Honduras.

According to their construction the treaty does no more than simply prohibit them from extending their possessions in Central America beyond the present limits. It is not too much to assert that if in the United States the treaty had been considered susceptible of such a construction it never would have been negotiated under the authority of the President nor would it have received the approbation of the Senate. The universal conviction in the United States was that when our Government consented to violate its traditional and time-honored policy and to stipulate with a foreign Government never to occupy or acquire territory in the Central American portion of our own continent the consideration for this sacrifice was that Great Britain should, in this respect at least, be placed in the same position with ourselves. Whilst we have no right to doubt the sincerity of the British Government in their construction of the treaty, it is at the same time my deliberate conviction that this construction is in opposition both to its letter and its spirit.

Under the late Administration negotiations were instituted between the two Governments for the purpose, if possible, of removing these difficulties; and a treaty having this laudable object in view was signed at London on the 17th October, 1856, and was submitted by the President to the Senate on the following 10th of December. Whether this treaty, either in its original or amended form, would have accomplished the object intended without giving birth to new and embarrassing complications between the two Governments may perhaps be well questioned. Certain it is, however, it was rendered much less objectionable by the different amendments made to it by the Senate. The treaty as amended was ratified by me on the 12th March, 1857, and was transmitted to London for ratification by the British Government. That Government expressed its willingness to concur in all the amendments made by the Senate with the single exception of the clause relating to Ruatan and the other islands in the Bay of Honduras. The article in the original treaty as submitted to the Senate, after reciting that these islands and their inhabitants "having been, by a convention bearing date the 27th day of August, 1850, between Her Britannic Majesty and the Republic of Honduras, constituted and declared a free territory under the sovereignty of the said Republic of Honduras," stipulated that "the two contracting parties do hereby mutually engage to recognize and respect in all future times the independence and rights of the said free territory as a part of the Republic of Honduras."

Upon an examination of this convention between Great Britain and Honduras of the 27th August, 1856, it was found that, whilst declaring the Bay Islands to be "a free territory under the sovereignty of the Republic of Hon-

duras," it deprived that Republic of rights without which its sovereignty over them could scarcely be said to exist. It divided them from the remainder of Honduras, and gave to their inhabitants a separate government of their own, with legislative, executive, and judicial officers, elected by themselves. It deprived the Government of Honduras of the taxing power in every form, and exempted the people of the islands from the performance of military duty, except for their own exclusive defense. It also prohibited that Republic from erecting fortifications upon them for their protection—thus leaving them open to invasion from any quarter; and, finally, it provided "that slavery shall not at any time hereafter be permitted to exist therein."

Had Honduras ratified this convention, she would have ratified the establishment of a state substantially independent within her own limits, and a state at all times subject to British influence and control. Moreover, had the United States ratified the treaty with Great Britain in its original form, we should have been bound "to recognize and respect in all future time" these stipulations to the prejudice of Honduras. Being in direct opposition to the spirit and meaning of the Clayton and Bulwer treaty as understood in the United States, the Senate rejected the entire clause, and substituted in its stead a simple recognition of the sovereign right of Honduras to these islands in the following language: "The two contracting parties do hereby mutually engage to recognize and respect the islands of Ruatan, Bonaco, Utila, Barbareta, Helena, and Morat, situate in the Bay of Honduras, and off the coast of the Republic of Honduras, as under the sovereignty and as part of the said Republic of Honduras."

Great Britain rejected this amendment, assigning as the only reason that the ratifications of the convention of the 27th August, 1856, between her and Honduras had not been "exchanged, owing to the hesitation of that Government." Had this been done, it is stated that "Her Majesty's Government would have had little difficulty in agreeing to the modification proposed by the Senate, which then would have had in effect the same signification as the original wording." Whether this would have been the effect—whether the mere circumstance of the exchange of the ratifications of the British convention with Honduras prior in point of time to the ratification of our treaty with Great Britain would, "in effect," have had "the same signification as the original wording," and thus have nullified the amendment of the Senate, may well be doubted. It is, perhaps, fortunate that the question has never arisen.

The British Government, immediately after rejecting the treaty as amended, proposed to enter into a new treaty with the United States, similar in all respects to the treaty which they had just refused to ratify, if the United States would consent to add to the Senate's clear and unqualified recognition of the sovereignty of Honduras over the Bay Islands the following conditional stipulation: "Whenever and so soon as the Republic of Honduras shall have concluded and ratified a treaty with Great Britain, by which Great Britain shall have ceded, and the Republic of Honduras shall have accepted, the said islands, subject to the provisions and conditions contained in such treaty."

This proposition was, of course, rejected. After the Senate had refused to recognize the British convention with Honduras of the 27th August, 1856, with full knowledge of its contents, it was impossible for me, necessarily ignorant of "the provisions and conditions" which might be contained in a future convention between the same parties, to sanction them in advance.

The fact is that when two nations like Great Britain and the United States, mutually desirous as they are, and I trust ever may be, of maintaining the most friendly relations with each other, have unfortunately concluded a treaty which they understand in senses directly opposite, the wisest course is to abrogate such a treaty by mutual consent and to commence anew. Had this been done promptly all difficulties in Central America would most probably ere this have been adjusted to the satisfaction of both parties. The time spent in discussing the meaning of the Clayton and Bulwer treaty would have been devoted to this praiseworthy purpose and the task would have been the more easily accomplished, because the interest of the two countries in Central America is identical, being confined to securing safe transit over all the routes across the Isthmus.

[Mr. Cass, Secretary of State, to Lord Napier, April 6, 1858.]

The President has always regretted the differences between the United States and Great Britain which have grown out of their different constructions of the "Clayton-Bulwer treaty," and has been sincerely desirous to see them amicably arranged.

In proof of this friendly disposition, he gave his sanction to the Dallas-Clarendon treaty of 1856, as amended by the Senate, notwithstanding the objections which your lordship is aware he entertained to some of its provisions. When this treaty had failed in consequence of the refusal of Great Britain to ratify it in its amended form, he was confidentially informed by your lordship, on the 10th of October last, in an interview which you had sought for the purpose, "that Her Majesty's Government had considered the several alternatives of action which were open to their selection, and, in a review of the whole case, had resolved to dispatch a representative of authority and experience to Central America, charged to make a definite settlement of all the matters with regard to which the United States and England are still at variance."

Your lordship added that Sir William Gore Ouseley had been selected as the representative, and that while you were unable to explain the precise character of his instruction, you "believed it was the intention of Her Majesty's Government to carry the Clayton-Bulwer treaty into execution according to the general tenor of the interpretation put upon it by the United States, but to do so by separate negotiations with the Central American Republics in lieu of a direct negotiation with the Federal Government."

Should Sir William Ouseley's mission be successful in giving effect to the Clayton-Bulwer treaty according to the American construction of it, it will be unnecessary, of course, for either the United States or Great Britain to consider the question of its abrogation. Had this abrogation been promptly made as soon as it was discovered that the treaty was understood by the parties to it in senses directly opposite, it is quite possible that the Central American questions might have been adjusted ere this to the satisfaction of both Governments, and if the abrogation could be accomplished now by substituting a new adjustment of these questions for that which has led to so much discussion in the convention of 1850, this might be a fortunate termination of the whole controversy. But after eight years of fruitless negotiation, to abandon the treaty without any arrangement whatever of the difficulties out of which it grew would be almost to abandon at the same time all hope of adjusting these difficulties in a peaceful manner.

In a recent conversation with your lordship on this subject I understood you to say that, while Great Britain might possibly consent to dissolve the treaty, it would, in your belief, expect the dissolution to be accompanied by some stipulations which Her Majesty's Government desire to have, in respect to the transit routes across the Isthmus, but that it had no intention in that event of relinquishing any of the possessions which it now has in Central America. With this understanding of your suggestion, I replied that, in my judgment, the President would never consent, while Great Britain continued to maintain her Central American possessions, to make new concessions to her interests in that quarter, but would prefer rather that the dissolution of

the treaty should be naked and unconditional. From your lordship's "confidential" note to Lord Malmesbury of the 22d ultimo I now learn that in advising certain new stipulations to accompany the repeal of the treaty of 1850, should such a repeal be determined on, you had "never designed to represent those suggestions as official or unalterable, or to intimate that Her Majesty's Government would not listen to any amicable proposal for the simple revocation of the treaty alluded to."

I understand your lordship, however, to remain firmly of opinion that if the treaty should be dissolved Her Majesty's Government would relinquish none of its pretensions in Central America, and that the Bay Islands especially "would remain attached to the British Crown." Since it is well known that the views of this Government are wholly inconsistent with these pretensions, and that it can never willingly therefore acquiesce in their maintenance by Great Britain, your lordship will readily perceive what serious consequences might follow a dissolution of the treaty if no provision should be made at the same time for adjusting the questions which led to it.

If, therefore, the President does not hasten to consider now the alternative of repealing the treaty of 1850 it is because he does not wish prematurely to anticipate the failure of Sir William Ouseley's mission, and is disposed to give a new proof to Her Majesty's Government of his sincere desire to preserve the amicable relations which now happily subsist between the two countries.

[Mr. Cass, Secretary of State, to Lord Napier, November 8, 1858.]

I have had the honor to receive the copy which your lordship did me the favor to send me of Lord Malmesbury's dispatch to your lordship of August 18, in reference to Sir William Ouseley's mission, and have submitted it to the consideration of the President. From the statement of Lord Malmesbury that the British Government has no remaining alternative but that of leaving the Cabinet of Washington to originate any further overtures for an adjustment of these controversies, it is quite obvious that the position of the President on this subject is not correctly understood by Her Majesty's Government. Since the announcement by your lordship in October, 1857, of Sir William Ouseley's special mission, the President has awaited not so much any new proposition for the adjustment of the Central American question as the statement in detail which he had been led to expect of the method by which Sir William Ouseley was to carry into effect the previous proposition of the British Government. To make this plain, your lordship will pardon me for making a brief reference to what has occurred between the two Governments in respect to Central America since the ratification of the Clayton-Bulwer treaty of 1850.

While the declared object of that convention had reference to the construction of a ship canal by the way of San Juan and the lakes of Nicaragua and Managua, from the Atlantic to the Pacific oceans, yet it avowed none the less plainly a general principle in reference to all practicable communications across the Isthmus, and laid down a distinct policy by which the practical operation of this principle was likely to be kept free from all embarrassment. The principle was that the interoceanic routes should remain under the sovereignty of the States through which they ran, and be neutral and free to all nations alike. The policy was, that in order to prevent any government outside of those States from obtaining undue control or influence over these interoceanic transits, no such nation should "erect or maintain any fortifications commanding the same, or in vicinity thereof, or should occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America."

So far as the United States and Great Britain were concerned, these stipulations were expressed in unmistakable terms, and in reference to other nations it was declared that the contracting parties in this convention engaged to invite every state with which both or either have friendly intercourse to enter into stipulations with them similar to those which they have entered into with each other. At that time the United States had no possessions whatever in Central America and exercised no dominion there. In respect to this Government, therefore, the provisions of the first article of the treaty could operate only as a restriction for the future, but Great Britain was in the actual exercise of dominion over nearly the whole eastern coast of that country, and in relation to her this article had a present as well as a prospective operation. She was to abandon the occupancy which she already had in Central America, and was neither to make acquisitions nor erect fortifications or exercise dominion there in the future. In other words, she was to place herself in the same position, with respect to possessions and dominion in Central America, which was to be occupied by the United States, and which both the contracting parties to the treaty engaged that they would endeavor to induce other nations to occupy.

This was the treaty as it was understood and assented to by the United States, and this is the treaty as it is still understood by this Government. Instead, however, of giving effect to it in this sense, the British Government proceeded, in 1851, only a few months after the signature to the treaty, to establish a new British colony in Central America under the name of the "Bay Islands;" and when this Government expressed its great surprise at this proceeding and at the failure of Great Britain to comply with the terms of the convention, Her Majesty's Government replied that the islands already belonged to Great Britain at the date of the treaty, and that the convention, in their view of it, interfered with none of their existing possessions in Central America, but was wholly prospective in its character, and only prevented them from making new acquisitions. It is unnecessary to do more than simply refer to the earnest and able discussions which followed this avowal, and which show more and more plainly the opposite constructions which were placed upon the treaty by the two Governments.

In 1851 it was sought to reconcile these constructions and to terminate the Central American question by the convention which was signed at London by the American minister and Lord Clarendon, usually designated the Dallas-Clarendon treaty. The terms of this treaty are doubtless familiar to your lordship.

It provides—

1. For the withdrawal of the British protectorate over the Mosquito Indians and for an arrangement in their behalf upon principles which were quite acceptable to the United States.
 2. It regulated the boundaries of the Belize settlements, within which Great Britain claimed to exercise certain possessory rights upon terms which, although not wholly acceptable to this Government, were yet, in a spirit of generous concession, ratified by the United States Senate.
 3. It provided for a cession of the Bay Islands to Honduras (in the opinion of this Government their rightful proprietor), but this concession was made dependent upon an unratified treaty between Great Britain and Honduras, whose terms were not officially known to this Government, but which, so far as they had unofficially appeared, were not of a satisfactory character.
- The Senate, therefore, in ratifying the Dallas-Clarendon treaty, felt obliged to amend it by striking out all that part of it which contemplated the concurrence of this Government in the treaty with Honduras, and simply providing for a recognition by the two Governments of the sovereign right of Honduras to the islands in question. Great Britain found itself unable to concur in this amendment, and the Dallas-Clarendon treaty, therefore, fell to the ground. It was clear, however, that the objections of the Senate to the Honduras treaty were not deemed unreasonable by Her Majesty's Gov-

ernment, because, in your lordship's interview with the President on the 22d of October, 1857, your lordship "allowed that the articles establishing the administrative independence of the islands might have been larger than was necessary. I had observed," you added, "the same impression in the correspondence of Mr. Wyke, Her Majesty's chargé d'affaires at Guatemala, who seemed to admit that a greater participation in the internal government might be granted to the authorities of Honduras," and you made "no doubt that Her Majesty's Government would entertain any reasonable suggestions which might be offered to them in that sense."

And again, in your lordship's note to this Department of November 30, 1857, you recognize the same probability "that the intervention of the Honduras Government in the administration of the islands may have been more limited than was necessary or even advisable."

Such was doubtless the opinion of Honduras, for as long ago as May 10, 1857, I was informed by your lordship that the treaty remained unratified "owing to some objections on the part of the Government of Honduras," and that "Her Majesty's Government does not expect that the treaty in its present shape will be definitely sanctioned by that Republic."

In view of the objectionable provisions of this convention with Honduras and of its failure to be sanctioned by that Republic, your lordship, by the authority of Lord Clarendon, informed me on the 6th of May, 1857, that Her Majesty's Government was prepared to sanction a new treaty in respect to the Central American questions which should in all respects conform to the Dallas-Clarendon treaty as ratified by the Senate, except that to the simple recognition in the Senate's substitute for the second separate article of the sovereignty of Honduras over the Bay Islands there was to be added the following passage: "Whenever and so soon as the Republic of Honduras shall have concluded and ratified a treaty with Great Britain by which Great Britain shall have ceded and the Republic of Honduras shall have accepted the said islands subject to the provisions and conditions contained in said treaty." While this condition contemplated a new treaty with Honduras which might possibly avoid the objectionable provisions of the old one, yet it was quite impossible for the United States to become a party, either directly or indirectly, to a convention which was not in existence or whose terms and conditions it could neither know nor control. For this reason I informed your lordship in my communication of May 29 that your lordship's proposition was declined by this Government.

The attempts to adjust the Central American questions by means of a supplementary treaty having thus failed of success, and the subject not being of a character, in the opinion of the United States, to admit of their reference to arbitration, the two Governments were thrown back upon their respective rights under the Clayton-Bulwer treaty. While each Government, however, had continued to insist upon its own construction of this treaty, there was reason to believe that the embarrassments growing out of their conflicting views of its provisions might be practically relieved by direct negotiation between Her Majesty's Government and the states of Central America.

In this way it seemed possible that, without any injustice to those states, the treaty might be rendered acceptable to both countries as well as operative for the disinterested and useful purposes which it had been designed to serve.

The President, therefore, was glad to learn from your lordship, on the 19th of October, 1857, that Her Majesty's Government had "resolved to dispatch a representative of authority and experience to Central America to make a definite settlement of all the matters with regard to which the United States and England were still at variance, and who would be instructed," as your lordship believed, "to carry the Clayton-Bulwer treaty into execution according to the general tenor of the interpretation put upon it by the United States, but to do so by separate negotiations with the Central American Republics in lieu of a direct engagement with the Federal Government."

This announcement could not fail to be received with satisfaction by the President, because it contemplated the substantial accomplishment of the very purposes in respect to the treaty which the United States had always had in view, and so long as these were accomplished he assured your lordship that "to him it was indifferent whether the concession contemplated by Her Majesty's Government were assigned to a direct engagement between England and the United States or to treaties between the former and the Central American Republics; the latter method might, in some respects, be added, be even more agreeable to him, and he thought it would be more convenient to Her Majesty's Government, who might, with greater facility, accede to the claims of the weaker party."

The explanations, however, anticipated by your lordship and by myself were not received, and about three months after the arrival of Sir William at Washington you expressed to me your regret that you had held out expectations which proved unfounded, and which had prompted delay, and then for the first time requested an answer to the proposals of Her Majesty's Government, and "especially to that part of them relating to the arbitration." It was even then suggested that the answer was desired because it was thought to be appropriate as a matter of form and not because the explanations which had been waited for were deemed wholly unnecessary.

"I overlooked something due to forms," is your lordship's language in the note of April 12, "in my anxiety to promote a clearer understanding, and I eventually learned in an official shape that Her Majesty's Government, following their better judgment, desired, before making any further communication, a reply to their overtures, and especially to that part of them referring to arbitration." Should the new proffer of arbitration be declined, it was clearly not supposed in your note of February 15 that this result would have any tendency to interrupt Sir William's efforts; but in that event it was hoped, you informed me, that these efforts would result in a settlement agreeable to the United States, inasmuch as in essential points it would carry the treaty of 1850 into operation in a manner practically conformable to the American interpretation of that instrument. [Here follows a recapitulation of note of April 6, above given.]

The neutrality of the interoceanic routes and their freedom from the superior and controlling influence of any one government, the principles upon which the Mosquito protectorate may be arranged alike with justice to the sovereignty of Nicaragua and the Indian tribes, the surrender of the Bay Islands under certain stipulations for the benefit of trade and the protection of their British occupants, and the definition of the boundaries of the British Belize—about all these points there is no apparent disagreement except as to the conditions which shall be annexed to the Bay Islands' surrender and as to the limits which shall be fixed to the settlements of the Belize. Is it possible that, if approached in a spirit of conciliation and good feeling, these two points of difference are not susceptible of a friendly adjustment? To believe this would be to underestimate the importance of the adjustment and the intelligent appreciation of this importance which must be entertained by both nations.

What the United States want in Central America, next to the happiness of its people, is the security and neutrality of the interoceanic routes which lead through it. This is equally the desire of Great Britain, of France, and of the whole commercial world. If the principles and policy of the Clayton-Bulwer treaty are carried into effect, this object is accomplished. When, therefore, Lord Malmesbury invites new overtures from this Government upon the idea that it has rejected the proposal embraced in Sir William Ouseley's mission for an adjustment of the Central American questions by

separate treaties with Honduras, Nicaragua, and Guatemala, upon terms substantially according with the general tenor of the American interpretation of the treaty. I have to reply that this very adjustment is all that the President ever desired, and that instead of having rejected that proposal he had expressed his cordial acceptance of it so far as he understood it, and had anticipated from it the most gratifying consequences.

Nothing now remains for me but to inquire of your lordship whether the overtures contained in your lordship's note of November 30 are to be considered as withdrawn by Her Majesty's Government, or whether the good results expected in the beginning from Sir William Ouseley's mission may not yet be happily accomplished.

[From President Buchanan's fourth annual message.]

Our relations with Great Britain are of the most friendly character. Since the commencement of my Administration the two dangerous questions arising from the Clayton and Bulwer treaty and from the right of search claimed by the British Government have been amicably and honorably adjusted.

The discordant constructions of the Clayton and Bulwer treaty between the two Governments, which at different periods of the discussion bore a threatening aspect, have resulted in a final settlement entirely satisfactory to this Government. In my last annual message I informed Congress that the British Government had not then "completed treaty arrangements with the Republics of Honduras and Nicaragua in pursuance of the understanding between the two Governments. It is, nevertheless, confidently expected that this good work will ere long be accomplished." This confident expectation has since been fulfilled.

Her Britannic Majesty concluded a treaty with Honduras on the 23d November, 1859, and with Nicaragua on the 23d August, 1860, relinquishing the Mosquito protectorate. Besides, by the former the Bay Islands are recognized as a part of the Republic of Honduras. It may be observed that the stipulations of these treaties conform in every important particular to the amendments adopted by the Senate of the United States to the treaty concluded at London on the 17th October, 1850, between the two governments. It will be recollected that this treaty was rejected by the British Government because of its objection to the just and important amendment of the Senate to the article relating to Ruatan and the other islands in the Bay of Honduras.

[Mr. Seward, Secretary of State, to Mr. Adams, April 25, 1866.]

Toward the close of Mr. Polk's Administration the British Government, disturbed, perhaps, by the recent acquisition of territory by the United States on the Pacific, showed what we thought to be a disposition to contend with the Governments of the Central American States, with the ultimate object, as was supposed, of acquiring dominion there, and also a control of any ship canal which might be made between the two oceans by the way of the San Juan River and Lake Nicaragua. British subjects had long before that time lent those Governments money, the interest on which was in arrears, chiefly in consequence of the strife between the States which ensued upon their separation as a confederacy.

War measures were determined upon to cover this interest; among others, the seizure of the island of Tiger, belonging to Honduras, in the Bay of Fonseca, was made by a British naval force in October, 1849. This seizure was protested against by Mr. Squier, the United States chargé d'affaires in Nicaragua, and a disavowal of the proceedings of the British Government was required by Mr. Clayton in an instruction to Mr. Abbott Lawrence, at London, of the 29th of December, 1849.

Inasmuch as one route (by some supposed to be the best route) for the ship canal from the lake to the Pacific lay along the Estero Real, which empties into the Bay of Fonseca, near Tiger Island, Mr. Squier deemed himself warranted in incorporating in a general commercial treaty with Honduras, which he signed on the 23d of September, 1849, provisions for acquiring land for naval stations on that island or on the continent in its vicinity. By what is called a protocol, of the same date, Honduras ceded Tiger Island to the United States, pending the ratification or rejection of the general treaty, provided that the time should exceed eighteen months.

These stipulations were entered into by Mr. Squier without instructions from the Department, and when the treaty and additional articles were received, he was reproved for them. They were never laid before the Senate. It is not to be doubted, however, that they occasioned uneasiness to the British Government, and in a great degree led to the Clayton-Bulwer treaty of the 19th of April, 1850.

The preamble of that treaty states that its object was to fix the views and intentions of the parties in regard to the ship canal.

The first article of the treaty, still referring to the ship canal, stipulates that neither party will erect fortifications commanding the same, or in the vicinity thereof, or occupy, or fortify, or colonize, or assume, or exercise dominion in any part of Central America.

It seems obvious that the renunciation by the parties to this instrument of a right to acquire dominion in Central America was intended to prevent either of them from obtaining control over the proposed ship canal. At the time the treaty was concluded there was every prospect that that work would not only soon be begun, but that it would be carried to a successful conclusion. For reasons, however, which it is not necessary to specify, it never was even commenced, and at present there does not appear to be a likelihood of its being undertaken. It may be a question, therefore, supposing that the canal should never be begun, whether the renunciatory clauses of the treaty are to have perpetual operation.

Technically speaking, this question might be decided in the negative. Still, so long as it should remain a question, it would not comport with good faith for either party to do anything which might be deemed contrary to even the spirit of the treaty.

It is becoming more and more certain every day that not only naval warfare in the future, but also all navigation of war vessels in time of peace, must be by steam. This necessity will occasion little or no inconvenience to the principal maritime powers of Europe, and especially to Great Britain, as those powers have possessions in various parts of the globe where they can have stores of coal and provisions for the use of their vessels. We are differently situated. We have no possession beyond the limits of the United States. Foreign colonization has never been favored by statesmen in this country, either on general grounds or as in harmony with our peculiar condition. There is no change or likely to be any in this respect. It is indispensable for us, however, to have coaling stations under our own flag for naval observation and police, and for defensive war as well as for the protection of our widely spread commerce when we are at peace ourselves. This want, even for our commercial marine, is nowhere more sensibly felt than on the track between Panama and San Francisco. The question then occurs, What points beyond our jurisdiction would be most eligible for this purpose?

Whatever opinion might be entertained in regard to any other sites, there would be no question that Tiger Island would be exceedingly desirable for that purpose.

Under these circumstances, you will sound Lord Clarendon as to the disposition of his Government to favor us in acquiring coaling stations in Central America, notwithstanding the stipulations contained in the Clayton-Bulwer treaty. In doing this, however, you will use general terms only, and

will by no means allow it to be supposed that we particularly covet Tiger Island. You will execute this instruction at such time and in such way as to you may seem best, and inform the Department of the result, so that the United States minister to Honduras may be directed to proceed accordingly.

It is supposed that you may probably be able to introduce the subject to the Earl of Clarendon's attention by suggesting that a negotiation with a view to the special end mentioned might be made an element in a general negotiation for settlement of the northwest boundary question and of the conflicting claims of the two countries which have arisen during the late rebellion in the United States.

[The report of Mr. Fish, Secretary of State, July 14, 1870, on the relation of the Monroe doctrine to Central America, in connection with the Clayton-Bulwer treaty, is given at large, supra, section 57.]

[Mr. Fish, Secretary of State, to Mr. Schenck, April 26, 1872.]

You are aware that a main object to the Clayton-Bulwer treaty, so called, of the 19th of April, 1850, was to provide against obstruction by either party to a ship canal to the Pacific through Nicaragua.

A work of that kind was then deemed specially necessary and desirable for us, as California had recently been acquired, the only practicable way to which was across the Isthmus of Panama or around Cape Horn. For some time previously to the date of that instrument, and especially during the considerable period when the United States were without a diplomatic representative in Central America, it seemed to be the policy of the British Government to avail itself of what was called its protectorate of the King of Mosquitoes to wrest from Nicaragua that part of its territory claimed on behalf of that Indian chief, including, of course, the mouths of the San Juan River, by the way of which it was supposed the proposed ship canal must pass.

The Clayton-Bulwer treaty effectually checked this pretension. It also in terms forbade either party to occupy or fortify in any part of Central America. The British Government, probably actuated by an apprehension that this stipulation might be construed against their claims at Belize, Honduras, instructed Sir H. L. Bulwer to make the declaration of 29th of June, 1850, when the ratifications were to be exchanged, to the effect that they did not understand the engagements of the convention to apply to Belize and its dependencies. In a note to Sir Henry of the 4th of July, 1850, Mr. Clayton acknowledged that it was not the purpose of the convention to apply to Belize and its dependencies.

A similar acknowledgment is contained in a memorandum of the 5th of July, 1850, signed by Mr. Clayton, which says that he at the same time declined to affirm or deny the British title in their settlement or its alleged dependencies. Among the latter what are called the Bay Islands were claimed to belong. The British Government, however, having converted them into a separate colony, this and the continuance of its protectorate, so called, over the Mosquito Indians were regarded as virtually such breaches of the Clayton-Bulwer treaty as to call for the remonstrances which Mr. Buchanan, and subsequently Mr. Dallas, were instructed to address, and which they did address, to the Government. The answer of that Government was in substance that the Clayton-Bulwer treaty was merely designed to provide for the future, and was not intended to affect any rights or claims which Great Britain may have had in Central America at the time of its conclusion.

This pretension was effectually answered by Mr. Buchanan in his reply to Lord Clarendon's memorandum on the subject, which you will find on the file or record of your legation. Ultimately, on the 17th of October, 1858, what is called the Dallas-Clarendon treaty was signed at London. The object of this instrument was to compose the differences between the two Governments, especially in regard to the Bay Islands and the Mosquito protectorate. When the treaty reached here, it must have been obvious to the Executive that if it accomplished either of those purposes this was in an incomplete and unacceptable way. Still the treaty was laid before the Senate, which body, though it did not absolutely reject it, appended to it so many and such important amendments that they were not accepted by the British Government, and the whole business proved abortive.

The British Government then sought negotiations with Nicaragua, Guatemala, and Honduras separately to attain the principal objects which it hoped to compass by means of the Dallas-Clarendon treaty if it had gone into effect as it was signed.

The purposes of that Government were in the main accomplished. On the 28th of January, 1860, a treaty between Great Britain and Nicaragua was signed at Managua. Though this instrument restored to that Republic the nominal sovereignty over that part of its territory which had previously been claimed as belonging to the kingdom of the Mosquitoes, it assigned boundaries to the Mosquito Reservation probably beyond the limits which any member of that tribe had ever seen, even when in chase of wild animals. Worst of all, however, it confirmed the grants of land previously made in Mosquito territory. The similar stipulation on this subject in the Dallas-Clarendon treaty was perhaps the most objectionable of any, as it violated the cardinal rule of all European colonists in America, including Great Britain herself, that the aborigines had no title to the soil which they could confer upon individuals.

This rule has repeatedly been confirmed by judicial decisions, and especially by the Supreme Court of the United States. It is supposed to be superfluous to add that it is understood the grantees of the Mosquito chief, respecting whose interests the British Government was so solicitous, were the subjects of the latter.

It is supposed that the expedition of Walker to Nicaragua made such an unfavorable impression on public opinion there in respect to this country as to prepare the way for the treaty with Great Britain. A rumor was current in that quarter, and was by many believed to be true, that Walker was an agent of this Government, which, it was supposed, had covertly sent him thither to obtain control of the country. This, however, was so far from the truth that everything within its power was done by this Government toward preventing the departure of Walker.

Besides the treaty with Nicaragua, just adverted to, there was a treaty between Great Britain and Honduras, signed on the 23d November, 1859, the main object of which was the restitution to the latter of the Bay Islands, which had for some time before been converted into a British colony.

This treaty also contained stipulations in regard to Mosquito Indians in Honduras territory similar to that in the treaty with Nicaragua.

On the 30th of April, 1859, a treaty between Great Britain and Guatemala was also signed, by which the boundaries of the British settlement at Belize, so called, were extended to the Sarstoon River. This instrument contained provisions for the appointment of commissioners to mark the boundaries and for the construction of a road from Guatemala to the fittest place on the Atlantic coast near Belize. By a supplementary convention between the parties of the 5th of August, 1863, Great Britain agreed, upon certain conditions, to contribute £50,000 toward the construction of the road referred to.

From the note of the 4th of December last, addressed to this Department by Mr. Dardon, the minister of Guatemala here, a copy of which is inclosed, it appears that when the joint commission for running the boundary line reached the Sarstoon River the British commissioner, finding that his countrymen were trespassing beyond that limit, refused to proceed, and the

stipulation on the subject, if not virtually canceled, has at least been suspended.

The supplementary convention not having been ratified by Guatemala in season, it is stated that the British Government has notified that of Guatemala that it would regard the stipulation on the subject of the road contained in the treaty of 1859 as at an end.

Other important information on these subjects is contained in the letter and its accompaniments of Mr. Henry Savage to this Department of the 16th of October last, a copy of which is inclosed. He is a native of this country, and at one time was consul at Guatemala.

He has frequently, in the absence of a diplomatic agent of the United States in that quarter, furnished this Department with valuable information in regard to Central American affairs.

Mr. Dardon says that his Government also regards its treaty of 1859 with Great Britain at an end, and requests on its behalf the cooperation and support of this Government toward preventing further encroachments by British subjects on the territory of Guatemala. It is believed that if such encroachments are authorized or countenanced by that Government it will be tantamount to a breach of its engagement not to occupy any part of Central America. Before, however, officially mentioning the subject to Earl Granville, it would be advisable to ascertain the correctness of the representation of Mr. Dardon as to the cause of the discontinuance of the demarcation of the boundary.

If the statement of that gentleman should prove to be correct, you will then formally remonstrate against any trespass by British subjects, with the connivance of their Government, upon the territory of Guatemala, as an infringement of the Clayton-Bulwer treaty, which will be very unacceptable in this country.

[Mr. Evarts, Secretary of State, to Mr. Logan, March 4, 1880.]

Aside from the well-understood doctrines of this Government as to any new acquisitions of American territory by European powers, it seems unquestionable that the Clayton-Bulwer treaty precludes the acquisition of those islands by Great Britain. The intentions which are imputed, therefore, to that power, looking in that direction, may well be discredited. Still they should awaken the attention and arouse the vigilance of this Government. Even should the tendency you report toward the alienation of the Bay Islands take another direction, it would, of course, be impossible for us to remain indifferent or to acquiesce in any other European power acquiring any of them.

[Mr. Blaine, Secretary of State, to Mr. Lowell, November 19, 1881.]

In pursuance of the premises laid down in my circular note of June 24 of this year touching the determination of this Government with respect to the guaranty of neutrality for the interoceanic canal at Panama, it becomes my duty to call your attention to the convention of April 19, 1850, between Great Britain and the United States, commonly known as the Clayton-Bulwer treaty.

According to the articles of that convention, the high contracting parties, in referring to an interoceanic canal through Nicaragua, agreed "that neither the one nor the other will ever obtain or maintain for itself any exclusive control over said ship canal, and that neither will ever erect or maintain any fortifications commanding the same or in the vicinity thereof." In a concluding paragraph the high contracting parties agreed "to extend their protection by treaty stipulations to any other practical communications, whether by canal or railway, across the Isthmus . . . which are now proposed to be established by way of Tehuantepec or Panama."

This convention was made more than thirty years ago, under exceptional and extraordinary conditions, which have long since ceased to exist—conditions which at best were temporary in their nature, and which can never be reproduced.

The remarkable development of the United States on the Pacific coast since that time has created new duties for this Government, and devolved new responsibilities upon it, the full and complete discharge of which requires, in the judgment of the President, some essential modifications in the Clayton-Bulwer treaty. The interests of Her Majesty's Government involved in this question, in so far as they may be properly judged by the observation of a friendly power, are so inconsiderable in comparison with those of the United States that the President hopes a readjustment of the terms of the treaty may be reached in a spirit of amity and concord.

The respect due to Her Majesty's Government demands that the objections to the perpetuity of the convention of 1850, as it now exists, should be stated with directness and with entire frankness. And among the most salient and palpable of these is the fact that the operation of the treaty practically concedes to Great Britain the control of whatever canal may be constructed.

The treaty binds the United States not to use its military force in any precautionary measure, while it leaves the naval power of Great Britain perfectly free and unrestrained, ready at any moment of need to seize both ends of the canal, and render its military occupation on land a matter entirely within the discretion of Her Majesty's Government.

The military power of the United States, as shown by the recent civil war, is without limit, and in any conflict on the American continent altogether irresistible. The Clayton-Bulwer treaty commands this Government not to use a single regiment of troops to protect its interests in connection with the interoceanic canal, but to surrender the transit to the guardianship and control of the British navy. If no American soldier is to be quartered on the Isthmus to protect the rights of his country in the interoceanic canal, surely, by the fair logic of neutrality, no war vessel of Great Britain should be permitted to appear in the waters that control either entrance to the canal.

A more comprehensive objection to the treaty is urged by this Government. Its provisions embody a misconception of the relative positions of Great Britain and the United States with respect to the interests of each Government in questions pertaining to this continent. The Government of the United States has no occasion to disavow an aggressive disposition. Its entire policy establishes its pacific character, and among its chief aims is to cultivate the most friendly and intimate relations with its neighbors, both independent and colonial. At the same time, this Government, with respect to European states, will not consent to perpetuate any treaty that impaches our right and long-established claim to priority on the American continent.

The States and Territories appurtenant to the Pacific Ocean and dependent upon it for commercial outlet, and hence directly interested in the canal, comprise an area of nearly 800,000 square miles, larger in extent than the German Empire and the four Latin countries of Europe combined.

If a hostile movement should at any time be made against the Pacific coast, threatening danger to its people and destruction to its property, the Government of the United States would feel that it had been unfaithful to its duty and neglectful toward its own citizens if it permitted itself to be bound by a treaty which gave the same right through the canal to a war ship bent on an errand of destruction that is reserved to its own Navy, sailing for the defense of our coast and the protection of the lives of our people. And as England insists by the might of her power that her enemies in war shall strike her Indian possessions only by doubling the Cape of Good Hope, so the Government of the United States will equally insist that the interior, more speedy,

and safer route of the canal shall be reserved for ourselves, while our enemies, if we shall ever be so unfortunate as to have any, shall be remanded to the voyage around Cape Horn.

A consideration of controlling influence in this question is the well-settled conviction on the part of this Government that only by the United States exercising supervision can the Isthmus canals be definitely and at all times secured against the interference and obstruction incident to war. A mere agreement of neutrality on paper between the great powers of Europe might prove ineffectual to preserve the canal in time of hostilities. The first sound of a cannon in a general European war would in all probability annul the treaty of neutrality, and the strategic position of the canal, commanding both oceans, might be held by the first naval power that could seize it. If this should be done, the United States would suffer such grave inconvenience and loss in her domestic commerce as would enforce the duty of a defensive and protective war on her part for the mere purpose of gaining that control which in advance she insists is due to her position and demanded by her necessities.

I am not arguing or assuming that a general war, or any war at all, is imminent in Europe. But it must not be forgotten that within the past twenty-five years all the great powers of Europe have been engaged in war; most of them more than once. In only a single instance in the past hundred years has the United States exchanged a hostile shot with any European power. It is in the highest degree improbable that for a hundred years to come even that experience will be repeated.

It consequently becomes evident that the one conclusive mode of preserving any Isthmus canal from the possible distraction and destruction of war is to place it under the control of that government least likely to be engaged in war, and able, in any and every event, to enforce the guardianship which she shall assume.

For self-protection to her own interests, therefore, the United States, in the first instance, asserts her right to control the Isthmus transit; and, secondly, she offers by such control that absolute neutralization of the canal as respects European powers which can in no other way be certainly attained and lastingly assured.

Another consideration forcibly suggests the necessity of modifying the convention under discussion. At the time it was agreed to, Great Britain and the United States were the only nations prominent in the commerce of Central and South America. Since that time other leading nations have greatly enlarged their commercial connections with that country, and are to-day contending for supremacy in the trade of those shores. Within the past four years, indeed, the number of French and German vessels landing on the two coasts of Central America far exceed the number of British vessels.

One of the motives that originally induced this Government to assent to the Clayton-Bulwer treaty, not distinctly expressed in the instrument, but inferable from every line of it, was the expected aid of British capital in the construction of the Nicaraguan canal. That expectation has not been realized, and the changed condition of this country since 1850 has diminished, if it has not entirely removed from consideration, any advantage to be derived from that source. Whenever, in the judgment of the United States Government, the time shall be auspicious and the conditions favorable for the construction of the Nicaraguan canal, no aid will be needed outside of the resources of our own Government and people, and while foreign capital will always be welcomed and never repelled it can not henceforth enter as an essential factor in the determination of this problem.

It is earnestly hoped by the President that the considerations now presented will have due weight and influence with Her Majesty's Government, and that the modifications of the treaty desired by the United States will be conceded in the same friendly spirit in which they are asked. The following is a summary of the changes necessary to meet the views of this Government:

First. Every part of the treaty which forbids the United States fortifying the canal and holding the political control of it in conjunction with the country in which it is located to be canceled.

Second. Every part of the treaty in which Great Britain and the United States agree to make no acquisition of territory in Central America to remain in full force. As an original proposition this Government would not admit that Great Britain and the United States should be put on the same basis, even negatively, with respect to territorial acquisitions on the American continent, and would be unwilling to establish such a precedent without full explanation. But the treaty contains that provision with respect to Central America, and if the United States should seek its annulment it might give rise to erroneous and mischievous apprehensions among a people with whom this Government desires to be on the most friendly terms. The United States has taken special occasion to assure the Spanish-American Republics to the south of us that we do not intend and do not desire to cross their borders or in any way disturb their territorial integrity, and we shall not willingly incur the risk of a misunderstanding by annulling the clauses in the Clayton-Bulwer treaty which forbid such a step with Central America. The acquisition of military and naval stations necessary for the protection of the canal and voluntarily ceded to the United States by the Central American States not to be regarded as a violation of the provisions contained in the foregoing.

Third. The United States will not object to maintaining the clause looking to the establishment of a free port at each end of whatever canal may be constructed, if England desires it to be retained.

Fourth. The clause in which the two Governments agreed to make treaty stipulations for a joint protectorate of whatever railway or canal might be constructed at Tehuantepec or Panama has never been perfected. No treaty stipulations for the proposed end have been suggested by either party, although citizens of the United States long since constructed a railway at Panama, and are now engaged in the same work at Tehuantepec. It is a fair presumption, in the judgment of the President, that this provision should be regarded as obsolete by the nonaction and common consent of the two Governments.

Fifth. The clause defining the distance from either end of the canal where in time of war captures might be made by either belligerent on the high seas was left incomplete, and the distance was never determined. In the judgment of the President, speaking in the interest of peaceful commerce, this distance should be made as liberal as possible, and might, with advantage, as a question relating to the high seas and common to all nations, be a matter of stipulation between the great powers of the world.

In assuming as a necessity the political control of whatever canal or canals may be constructed across the Isthmus, the United States will act in entire harmony with the Governments within whose territory the canals shall be located. Between the United States and the other American Republics there can be no hostility, no jealousy, no rivalry, no distrust.

This Government entertains no design in connection with this project for its own advantage, which is not also for the equal or greater advantage of the country to be directly and immediately affected. Nor does the United States seek any exclusive or narrow commercial advantage. It frankly agrees and will by public proclamation declare at the proper time, in conjunction with the Republic on whose soil the canal may be located, that the same rights and privileges, the same tolls and obligations for the use of the canal, shall apply with absolute impartiality to the merchant marine of

every nation on the globe. And equally in time of peace, the harmless use of the canal shall be freely granted to the war vessels of other nations. In time of war, aside from the defensive use to be made of it by the country in which it is constructed and by the United States, the canal shall be impartially closed against the war vessels of all belligerents.

It is the desire and determination of the United States that the canal shall be used only for the development and increase of peaceful commerce among all the nations, and shall not be considered a strategic point in warfare, which may tempt the aggression of belligerents or be seized under the compulsions of military necessity by any of the great powers that may have contests in which the United States has no stake and will take no part.

If it be asked why the United States objects to the assent of European governments to the terms of neutrality for the operation of the canal, my answer is that the right to assent implies the right to dissent, and thus the whole question would be thrown open for contention as an international issue. It is the fixed purpose of the United States to confine it strictly and solely as an American question, to be dealt with and decided by the American Government.

In presenting the views contained herein to Lord Granville, you will take occasion to say that the Government of the United States seeks this particular time for the discussion as most opportune and auspicious. At no period since the peace of 1783 have relations between the British and American Governments been so cordial and friendly as now. And I am sure Her Majesty's Government will find in the views now suggested and the propositions now submitted additional evidence of the desire of this Government to remove all possible grounds of controversy between two nations which have so many interests in common and so many reasons for honorable and lasting peace.

You will, at the earliest opportunity, acquaint Lord Granville with the purpose of the United States touching the Clayton-Bulwer treaty, and in your own way you will impress him fully with the views of your Government.

I refrain from directing that a copy of this instruction be left with his lordship, because in reviewing the case I have necessarily been compelled in drawing illustrations from British policy to indulge somewhat freely in the argumentum ad hominem.

This course of reasoning in an instruction to our own minister is altogether legitimate and pertinent, and yet might seem discourteous if addressed directly to the British Government. You may deem it expedient to make this explanation to Lord Granville, and if afterwards he shall desire a copy of this instruction, you will of course furnish it.

[Mr. Blaine, Secretary of State, to Mr. Lowell, November 20, 1861.]

In the discussions between the two Governments which attended the failure of the Clarendon-Dallas treaty the attitude of the United States with respect to the Clayton-Bulwer treaty was amply defined. As early as the 12th of March, 1857, I find that General Cass, then Secretary of State, in the course of a conference with Lord Napier, Her Majesty's representative, "passed some reflection on the Clayton-Bulwer treaty; he had voted for it, and in doing so he believed that it abrogated all intervention on the part of England in the Central American territory. The British Government had put a different construction on the treaty, and he regretted the vote he had given in its favor." (Dispatch of Lord Napier to the Earl of Clarendon, March 12, 1857.)

On the 6th of May, 1857, President Buchanan, in an audience given to Lord Napier and in response to his lordship's suggestion that if the attempted adjustment of the difference between the Governments as to the Clarendon-Dallas treaty should fail, the Clayton-Bulwer treaty remained to fall back upon, characterized that instrument in much stronger terms than General Cass had done. To quote Lord Napier's words:

"The President denounced the Clayton-Bulwer treaty as one which has been fraught with misunderstanding and mischief from the beginning. It was concluded under the most opposite constructions by the contracting parties. If the Senate had imagined that it could obtain the interpretation placed upon it by Great Britain it would not have passed. If he had been in the Senate at the time, that treaty never would have been sanctioned." (Dispatch of Lord Napier to the Earl of Clarendon, May 6, 1857.)

These views are more explicitly and formally repeated in a note addressed by Secretary Cass to Lord Napier on the 29th of May, 1857. He says: "The Clayton-Bulwer treaty, concluded in the hope that it would put an end to the differences which had arisen between the United States and Great Britain concerning Central American affairs, had been rendered inoperative in some of its most essential provisions by the different constructions which had been reciprocally given to it by the parties. And little is hazarded in saying that had the interpretation since put upon the treaty by the British Government, and yet maintained, been anticipated, it would not have been negotiated under the instructions of any Executive of the United States nor ratified by the branch of the Government intrusted with the power of ratification."

The publicity of these statements, and the strong feeling which then prevailed in all quarters that the Clayton-Bulwer convention was inadequate to reconcile the opposite views of Great Britain and the United States toward Central America, led to a very decided conviction that the treaty should be abrogated. Lord Napier reflected this growing impression when, on the 22d of June, 1857, he wrote to Lord Clarendon that "it is probable that if the pending discussion regarding Central America be not closed during the present summer, an attempt will be made in the next session of Congress to set aside the Clayton-Bulwer treaty. * * * There can be no doubt of the views of the President and Cabinet on this matter."

Before this tendency could, however, find its expression in any official act, a movement on the part of Her Majesty's Government placed the whole matter in a new aspect.

[Here follows a summary of Sir W. Ouseley's action, substantially the same as that given above by Mr. Cass.]

The situation, then, at the close of 1857 presented a triple deadlock. The United States had agreed not to move toward the abrogation of the treaty until it could be seen what interpretation of its provisions would result from Sir William Ouseley's mission. Sir William had received positive instructions not to move until the United States should decide whether to abrogate the treaty or not, and Lord Napier was forbidden to move until the United States should make formal answer to the proposal for arbitration. The instructions of Lord Clarendon to Lord Napier, January 22, 1858, contained these words:

"We are decidedly of opinion that it would neither be consistent with our dignity or our interest to make any proposal to the United States Government until we have received a formal answer to our former offer of arbitration. In event of the offer being refused, it will be a great and hardly justifiable proof of the spirit of conciliation by which we are animated if we then show ourselves disposed to abrogate the Clayton-Bulwer treaty; but we must not be in too great haste."

In order, apparently, to break this deadlock, Lord Napier wrote to General Cass, February 17, 1858, that "something in the nature of an alternative was thus offered to the American Cabinet. Should the expedient of arbitration be adopted, a great portion of Sir William Ouseley's duty would be

transferred to other agencies. Should arbitration be declined, it was hoped that the efforts of Her Majesty's envoy would result in a settlement agreeable to the United States, inasmuch as in essential points it would carry the treaty of 1850 into operation in a manner practically conformable to the American interpretation of that instrument."

On the 10th of March, 1858, the Earl of Malmesbury, who had succeeded Lord Clarendon in the foreign office, instructed Lord Napier that, until an answer was returned to the proposal for arbitration, "no further steps can be taken by Her Majesty's Government with that of the United States in regard to that matter;" and, further, that "when this point is cleared up, Her Majesty's Government, supposing that the Government of the United States decline arbitration, will have to determine whether they should originate a proposal for the abrogation of the Clayton-Bulwer treaty or adopt any other course which the circumstances at the moment may seem to recommend."

It appears, however, that the proposal to abrogate the treaty which Lord Malmesbury reserved the right to originate had already been communicated to the Government of the United States by Lord Napier, under instructions from Lord Clarendon. In a dispatch dated March 22, 1858, Lord Napier wrote:

"The Earl of Clarendon authorized me to inform General Cass that Her Majesty's Government would not decline the consideration of a proposal for the abrogation of the treaty by mutual consent. * * * I have, accordingly, on two occasions, informed General Cass that if the Government of the United States be still of the same mind, and continue to desire the abrogation of the treaty of 1850, it would be agreeable to Her Majesty's Government that they should insert a proposal to that effect in their reply to my note respecting arbitration."

Lord Napier further reports in detail the conversations had with General Cass as to the most proper method of effecting such abrogation, if agreed to.

In reply to this dispatch of Lord Napier, the Earl of Malmesbury instructed him, April 8, 1858, that his action was approved, and that he should confine himself to pressing for an answer to his proposal for arbitration. His lordship added these significant words:

"Her Majesty's Government, if the initiative is still left to them by the unwillingness of the United States themselves to propose abrogation, desire to retain full liberty as to the manner and form in which any such proposal shall be laid on their behalf before the Cabinet at Washington. * * * The Clayton-Bulwer treaty has been a source of unceasing embarrassment to this country, and Her Majesty's Government, if they should be so fortunate as to extricate themselves from the difficulties which have resulted from it, will not involve themselves, directly or indirectly, in any similar difficulties for the future."

The answer of General Cass to Lord Napier's several proposals was, briefly, to the effect that pending the results expected from Sir William Ouseley's mission to the Central American states the United States could not adopt the alternative of arbitration "even if it had not been twice rejected before," and that "if the President does not hasten to consider now the alternative of repealing the treaty of 1850, it is because he does not wish prematurely to anticipate the failure of Sir William Ouseley's mission, and is disposed to give a new proof to Her Majesty's Government of his sincere desire to preserve the amicable relations which now happily subsist between the two countries."—General Cass to Lord Napier, April 6, 1858.

In this posture of affairs the Earl of Malmesbury instructed Sir William Ouseley to open direct negotiations with the Central American states, and on the 18th of August instructed Lord Napier to inform the Government of the United States of the intentions and object of Her Majesty's Government in the premises. His lordship added:

"Modification, arbitration, and abrogation of the Clayton-Bulwer treaty have been flatly rejected [the italics are my own]. Great Britain and Nicaragua are now about to treat as independent States."

I have emphasized the phrase "flatly rejected" in view of a subsequent instruction of the Earl of Malmesbury to Lord Napier on the 8th of December, 1858, wherein he said:

"I think you would have done better if you had not too pointedly brought before the United States Government the notion that the British Government might view with favor a proposal to abrogate the Clayton-Bulwer treaty."

It is not difficult, in following this narrative, to discern that General Cass, though not desiring to express it, had an additional motive for declining at that particular time to propose the abrogation of the Clayton-Bulwer treaty. He did not desire by such proposed abrogation to indicate his willingness that Sir William Gore Ouseley should make treaties with the separate states of Central America unrestrained by the clauses of the Clayton-Bulwer treaty inhibiting the extension of British power in that region. General Cass, with his accustomed caution and wisdom, clearly perceived that for the United States to propose abrogation on the very eve of Sir William Ouseley's mission would lead to injurious inferences and would imply conclusions which the United States was not prepared to admit.

Objectionable as General Cass thought the Clayton-Bulwer treaty, he thought it was better than giving the implied consent of this Government that Great Britain should obtain such treaties as the force of her power might secure in Central America.

The subsequent note of Lord Malmesbury, not strained by an uncharitable construction, throws additional light on the subject, and confirms the wisdom of General Cass in declining to propose abrogation at that time. And, besides, General Cass evidently desired to retain those very clauses of the Clayton-Bulwer treaty to which, in my dispatch of the 19th, I proposed on the part of this Government to adhere.

I have dwelt with somewhat of detail on this particular historic episode, partly because it admirably illustrates the spirit with which both Governments have regarded the Clayton-Bulwer treaty from the first, and partly because it had more direct bearing on the question of the guaranty of any isthmian transit than any other discussion of the time. In perusing the voluminous correspondence, unprinted as well as that printed and submitted at the time to Congress and to Parliament, I am more than ever struck by the elastic character of the Clayton-Bulwer treaty and the admirable purpose it has served as an ultimate recourse on the part of either Government to check apprehended designs in Central America on the part of the other, although all the while it was frankly admitted on both sides that the engagements of the treaty were misunderstandingly entered into, imperfectly comprehended, contradictorily interpreted, and mutually vexatious. * * *

My main object in writing this instruction has been to strengthen your hands in any discussion which may now ensue as to the benefits of the Clayton-Bulwer treaty and the mutual interest of the two countries in conserving it as the basis of a settlement of all disputes between them touching Central American and isthmian questions. It will be seen that, from the time of its conclusion in 1850 until the end of 1858, its provisions were thrice made the basis of a proposal to arbitrate as to their meaning, that modification and abrogation have been alike contingently considered, and that its vexatious and imperfect character has been repeatedly recognized on both sides. The present proposal of this Government is to free it from those embarrassing features, and leave it, as its framers intended it should be, a full and perfect settlement, for all time, of all possible issues between the United States and Great Britain with regard to Central America.

If in your conferences with Earl Granville it should seem necessary, you will make free use of the precedents I have cited, and should you, within the discretionary limits confided at the end of my No. 270, have given a copy thereof to his lordship, you are equally at liberty to let him have a copy of this also, with the same explanation, that it is for your use, and not written as a formal note for communication to Her Majesty's Government.

[Mr. Frelinghuysen, Secretary of State, to Mr. Lowell, May 8, 1882.]

Mr. Sackville West has handed me copies of two dispatches from Lord Granville to him respecting the Clayton-Bulwer treaty; the first, dated 7th January last, comments upon Mr. Blaine's 270 of the 19th of November; the second, of the 17th January, comments upon Mr. Blaine's 261 of the 29th November.

They have been read with interest and with attention. After careful consideration, the President is not without hope that the views of the two Governments may be harmonized in this matter. He therefore directs me to communicate to you, somewhat at length, the opinions entertained here respecting the traditional continental policy of the United States and the Clayton-Bulwer treaty.

A canal across the Isthmus for vessels of all dimensions and every character, under possible conditions hereinafter referred to, would affect this Republic in its trade and commerce, would expose our western coast to attack, destroy our isolation, oblige us to improve our defenses and to increase our Navy, and possibly compel us, contrary to our traditions, to take an active interest in the affairs of European nations. The United States, with their large and increasing population and wealth, can not be uninterested in a change in the physical conformation of this hemisphere, which may injuriously affect either the material or political interests of the Republic, and naturally seek that the severance of the Isthmus connecting the continents shall be effected in harmony with those interests.

This Government, while believing that the Isthmus should not be severed so as to do unnecessary injury to the United States, at the same time appreciates the desire of Great Britain that she should be able, by a short and easy passage from ocean to ocean, to reach her eastern and American possessions on the Pacific, and that other nations of the world have a similar interest in such a passage. There is, however, no necessary conflict between the political claims of the United States in this matter and the material interests of other nations.

A canal across the Isthmus can be created, and under the protectorate of the United States and the republic whose territory it may cross can be freely used by all nations; thus in some degree would be continued to the United States the benefit of that conformation of the earth which is now an element of security and defense.

The President believes that the formation of a protectorate by European nations over the Isthmus transit would be in conflict with a doctrine which has been for many years asserted by the United States. This sentiment is properly termed a doctrine, as it has no prescribed sanction, and its assertion is left to the exigency which may invoke it. It has been repeatedly announced by the executive department of this Government and through the utterances of distinguished citizens; it is cherished by the American people, and has been approved by the Government of Great Britain.

It is not the inhospitable principle which it is sometimes charged with being, and which asserts that European nations shall not retain dominion on this hemisphere, and that none but republican governments shall here be tolerated, for we well know that a large part of the North American continent is under the dominion of Her Majesty's Government, and that the United States were in the past the first to recognize the imperial authority of Dom Pedro in Brazil and of Iturbide in Mexico. It is not necessary now to define that doctrine, but its history clearly shows that it at least opposes any intervention by European nations in the political affairs of American republics. * * *

We are thus fairly brought to the consideration of the Clayton-Bulwer treaty.

The treaty relates to communication between the oceans and divides itself into two parts:

First, and principally, that which the treaty terms a "particular object," to wit, a then projected interoceanic canal in Central America by the Nicaragua route; and this is the only object stated in the preamble of the treaty, which says that the two governments, "being desirous of consolidating the relations of amity which so happily subsist between them, by setting forth and fixing in a convention their views and intentions with reference to any means of communication by ship canal which may be constructed between the Atlantic and Pacific oceans by the way of the river San Juan de Nicaragua and either or both of the lakes of Nicaragua or Managua to any port or place on the Pacific Ocean," to that end confer full powers on Mr. Clayton and Sir Henry Bulwer.

This first and principal object of the treaty is considered in the first seven articles.

Second. The subordinate object of the treaty is that treated of in the remaining or eighth article, which states that the two Governments, "having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle (and this is the principle), hereby agree to extend their protection by treaty stipulation to any other practicable communication" across the Isthmus, "and especially to the interoceanic communications, should the same prove practicable, whether by canal or railroad, which are now proposed to be established by the way of Tehuantepec or Panama." This "general principle" or joint protection is to be effected as stated, "by treaty stipulations."

Although this discussion relates to a canal by the Panama route outside of Central America, to which the eighth article refers, yet your attention is invited as well to the first and principal as to the second and subordinate purpose of the treaty.

First. While the primary object of the treaty, as will be seen, was to aid the immediate construction of a canal by what is known as the Nicaragua route, it is equally plain that another and important object, which the United States had in view, was to dispossess Great Britain of settlements in Central America, whether under cover of Indian sovereignty or otherwise.

The United States were tenacious that Great Britain should not extend further her occupation of threatening military or naval strategic points along their maritime frontier. To assure this, the parties to the treaty jointly agreed not to exercise dominion over or fortify or colonize Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America. Great Britain, however, exercises dominion over Belize or British Honduras, the area of which is equal to that of Massachusetts, Connecticut, and Rhode Island, and the impression prevails that since the conclusion of the treaty of 1850 the English inhabitants of that district have spread into the territory of the neighboring Republics and now occupy a large area of land which, under the convention, belongs to one or the other of the two Republics, but over which the Government of Her Majesty assumes to exercise control.

Such dominion seems to be inconsistent with that provision of the treaty which prohibits the exercise of dominion by Great Britain over any part of Central America. This makes it proper for me to say that the English privileges, at the time of the conclusion of the Clayton-Bulwer treaty, in what has been known as the Belize, were confined to a right to cut wood and establish sawmills in a territory defined by metes and bounds. These privileges were conferred by treaties, in which Spanish sovereignty was recognized. On

the successful revolution, the rights of Spain vested in the new Republics, and had not been materially changed when the Clayton-Bulwer treaty was concluded. That treaty was concluded April 19, and its ratification advised by the Senate May 22, 1850.

On the exchange of the ratifications Sir Henry Bulwer filed in this Department, under date of June 20, 1850, a declaration that the exchange was made with the understanding on the part of Her Majesty's Government that the treaty did not apply to Her Majesty's settlement at Honduras and its dependencies. Mr. Clayton answered, under date of July 4, 1850, that he so understood, but that he must not be understood to either affirm or deny British title therein. It is to be observed that each of these declarations was made after the conclusion of the treaty by the joint action of the President and the Senate, and that the declaration was not made to or accepted by them. In 1850 Great Britain entered into a treaty with Guatemala, in which what had been called the settlement in the declaration made on the exchange of the ratification of the Clayton-Bulwer treaty was styled "Her Britannic Majesty's settlement and possessions."

In the treaty with Guatemala the boundaries were defined, and it was agreed that all on one side of the defined boundaries "belongs to Her Britannic Majesty." It is further understood that when the commissioners met to mark the boundary in accordance with the agreement it was found that the subjects of Great Britain had occupied so much more of Guatemala than was supposed that the commissioner on the part of Her Majesty's Government refused to proceed, and this large area of land has since remained practically in the possession of Great Britain.

The United States have never given their assent to this conversion of the British "settlement" in Central America under Spanish-American sovereignty into a British "possession" with British sovereignty. There is a vast difference between a settlement subject to the sovereignty of the Central American Republic and a colony controlled by Great Britain.

Under the treaty of 1850, while it is binding, the United States have not the right to exercise dominion over or to colonize one foot of territory in Central America. Great Britain is under the same rigid restriction. And if Great Britain has violated and continues to violate that provision, the treaty is, of course, voidable at the pleasure of the United States.

Again, it is well known that the parties to the Clayton-Bulwer treaty anticipated that a canal by the Nicaragua route was to be at once commenced. Under the assumption of a protectorate of Mosquito, British authority was at that time in actual and visible occupation of one end of the Nicaragua route, whether with or without title is not now material, and it was intended by this treaty to dispossess Great Britain of this occupation. This object was accomplished in 1850 and in 1860 by treaties between Great Britain, Guatemala, Honduras, and Nicaragua, referred to in Lord Granville's dispatch of January 14, 1882. It was to this adjustment, which was one of the prime objects of the treaty, and not to the colonization of British Honduras that Mr. Buchanan in his message of December 3, 1860, alludes as "an amicable and honorable adjustment of dangerous questions arising from the Clayton-Bulwer treaty."

When the Clayton-Bulwer treaty was concluded it was contemplated that the Nicaragua Canal, to which the treaty principally had relation, would be at once commenced and finished with all possible speed by American and British capital under the impulse of the joint protectorate. This appears not only from the context of the treaty, but also from the history of the negotiations which led to the treaty and the relations which then existed between this Government and the Central American States.

On December 12, 1846, New Granada, by a treaty of commerce, in consideration of certain guarantees, made the United States valuable grants relating to the Panama route, to which your attention will be directed when we consider the rights of this Republic in relation to the Panama route.

The discovery of gold in California soon made it important to find some rapid way of reaching it. Notwithstanding the progress of the Panama Railroad scheme, public feeling was running strongly in favor of a ship canal large enough to accommodate ocean steamships. Influenced by this strong feeling the minister of the United States in Nicaragua, without instructions, negotiated a treaty with that Republic, which conferred upon certain citizens of the United States the valuable right to construct a ship canal from San Juan on the Atlantic coast to the Pacific. Nicaragua claimed sovereignty over the whole of the line of the proposed canal, while Great Britain, as I have shown, claimed sovereignty over a portion of it occupied by the Mosquito Indians.

At the time of the concession by Nicaragua it would have been impossible to procure in the United States the capital necessary for the construction of a ship canal from the Atlantic to the Pacific.

Hence it was that when Mr. Clayton learned of the concession, he at once informed Mr. Crampton, the British minister, saying that the United States did not propose to avail themselves exclusively of these privileges, but wished a canal constructed, and that the claim of Great Britain on behalf of the Mosquito Indians, which the United States could not admit, stood in the way. The Government of the United States, Mr. Clayton said, was persuaded that "these considerations, if fairly laid before Her Majesty's Government, would induce Her Majesty's Government to make such an arrangement with regard to the Mosquito Indians as would prevent its being an obstacle to the design in question."

President Taylor was present at the interview, and "cordially concurred." Mr. Crampton reported the conversation to Lord Palmerston the 1st of October, and on the 15th of the same month transmitted to him a copy of the concession by Nicaragua to the American company. The 23d November Mr. Abbott Lawrence officially informed Lord Palmerston that an American company, aided by the subscription of a large amount of British capital, had begun to construct the Panama Railroad, and had completed the contracts for iron for it. He transmitted to Lord Palmerston a copy of the guaranty in the treaty of 1846 with New Granada, and invited Great Britain to join in the guaranty. In the same note he acquainted Her Majesty's Government with the concession from Nicaragua to the American canal company, and said that the conflicting claims as to Mosquito threw an obstacle in the way of the work, and invited a conversation on the subject.

It seems that several conversations were had, since on the 14th of the following December Mr. Lawrence addressed a formal note to Lord Palmerston, in which, after referring to them and again setting forth the concessions for the Panama Railroad and the Nicaragua Canal, and stating that the United States had "disclaimed all intention to settle, annex, colonize, or fortify the territory of Central America, which declaration had been met by a similar disclaimer on the part of Great Britain," and also that Her Majesty's Government "had intimated their willingness to join with the United States in their guaranty of neutrality," he asked, in substance: First. Whether Great Britain would enter into a treaty with Nicaragua similar to that negotiated by the United States? Second. Whether Great Britain would enter into a treaty with New Granada, guaranteeing the neutrality of the railway then under construction? Third. Whether the obstruction of the Mosquito protectorate would be removed? This note was never answered formally in London, but negotiations were transferred to Washington.

Meantime, and in the autumn of 1849, Sir Henry Bulwer had succeeded Mr. Crampton in Washington, and, soon after his arrival, commenced negotiations with Mr. Clayton for a treaty for the protection of a canal.

On the 6th of January, 1850, Sir Henry Bulwer wrote to Lord Palmerston, saying:

"Your lordship is aware that the main interest of the United States in this matter has arisen from its newly acquired possession in the Pacific, and the project of an American company to form a water communication between the two oceans, passing through the Lake of Nicaragua and the River San Juan; this company having obtained from the State of Nicaragua the use of its lakes and territory for this purpose, and the use also of the River San Juan, to which Nicaragua lays claim."

"But it so happens that while it is very difficult, not to say impossible, for Her Majesty's Government to listen to those claims of Nicaragua, our decision with respect to which has been already openly taken, there is no difficulty, I believe, whatsoever in Her Majesty's Government assisting the United States in its general views with respect to that water communication across Central America which Great Britain must be almost as desirous as the United States to see established. . . . I am disposed to think that the best way of doing this is by a convention between Great Britain and the United States."

Negotiations conducted on this basis progressed so rapidly that on the 3d February, 1850, Sir Henry Bulwer was able to transmit for Lord Palmerston's criticism the full project of a treaty. . . .

The Clayton-Bulwer treaty was concluded on the 19th of the following April, and I think it will not be denied that the object which President Taylor, Mr. Clayton, Sir Henry Bulwer, and Lord Palmerston had in view in making it was primarily and mainly this: To insure at the earliest possible moment the completion of the particular ship canal for which a concession had been made by Nicaragua to citizens of the United States on the 23d August, 1849; all the interviews of which accounts remain and all the correspondence relate to this particular canal and to no other. As if to make assurance doubly sure, the project of a treaty which Sir Henry Bulwer sent to Lord Palmerston the 3d of February, being found doubtful or insufficient in this respect, was so amended between that time and the 19th April as to make it practically certain that that grant would be accepted by both Governments as the one covered by the treaty.

It was to this particular canal that were to be applied all the provisions of the first article in the treaty relating to the fortification of the canal, the control over it, and exclusive advantage in it; of the second article, relating to blockade, detention or capture; of the third and fourth articles, relating to protection during construction and to free ports; of the fifth article, in regard to a guarantee of neutrality; of the sixth article, with regard to treaties with other States, and the use of the good offices of the high contracting parties; and of the seventh article, as already noticed; but if under the provision of the seventh article the claims of the holders of this particular concession should be set aside, then each Government reserved to itself the right to determine whether its interests required it to afford protection to the holders of any other concession.

The two Governments did, however, subsequently come to a harmonious agreement with regard to the grant by Nicaragua, the one contemplated by the treaty. . . .

It was also agreed in the treaty that the parties should invite other States to enter into similar stipulation, to the end that they might share in the "honor and advantage of having contributed to a work of such general interest and importance as the canal herein contemplated," to wit, that by the Nicaragua route.

It is to be observed that if other nations were to become parties to the enterprise, it was only on the joint invitation of both the United States and Great Britain. But the President regards the provision as lapsed by the failure to construct the canal to which it referred, and by the fact before stated that experience has shown that no joint protectorate for any canal across the Isthmus is requisite. The canal, however, now in question is on the Panama and not on the Nicaragua route.

The remaining subject of the treaty is contained in the eighth article, which relates to a canal or railway across the Isthmus other than by the Nicaragua route, as by way of Tehuantepec or Panama, and it is this provision of the treaty which has occasioned this correspondence. The article provides as follows:

"The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object (to wit, the Nicaragua Canal, which, at the date of the treaty, it was thought was about to be constructed), but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other communications, whether by canal or railway, across the Isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama."

It is to be here observed that the Government of the United States has a treaty with New Granada, now a part of the United States of Colombia, entered into in 1846, by which free transit is guaranteed to the citizens of the United States across the Isthmus of Panama upon any mode of communication that may be constructed, subject to no duties or burdens but such as may be imposed upon citizens of New Granada; and by which, in order to secure the tranquil and constant enjoyment of these advantages, the United States guaranteed, positively and efficaciously, the perfect neutrality of the Isthmus, with the view that free transit from sea to sea might not be interrupted or embarrassed, and also guaranteed the rights of sovereignty and property which New Granada (now the United States of Colombia) had and possesses over said territory.

By this treaty with New Granada the United States claim to occupy a peculiar relation to the means of transit by railroad or canal across the Isthmus, within the territories of the United States of Colombia, a relation which can not justly be superseded by the intervention of other States without the consent of the United States, duly and properly obtained. A protectorate of this kind is, like government, necessarily exclusive in its character, and implies a right and duty to make it effective. There may be a joint protectorate engaged in by mutual convention of different states, but the protectorate itself must be a unit. The treaty with New Granada of 1846 still remains in full force. If Great Britain should desire to be united with the Government of the United States in that guarantee, of course it would require the consent of the United States of Colombia and of this Government, and a convention to that end the terms of which should be made agreeable to the parties.

Article VIII of the Clayton-Bulwer treaty relates only to those projects now (1850) proposed to be established, and expressly contemplates some further "treaty stipulation" on the part of Great Britain with the United States of America and New Granada, now the United States of Colombia, before Great Britain can join the United States in the protectorate of the canal or railway by the Panama route. No such treaty stipulation has been made or has been proposed by Great Britain. Since the ratification of the Clayton-Bulwer treaty, for thirty years the United States, under the treaty of 1846 with New Granada, has extended protection to the transit from sea to sea by the Panama Railway.

Should Her Majesty's Government, after obtaining the consent thereto of the United States of Colombia, claim, under the Clayton-Bulwer treaty, the right to join the United States in the protection of the existing Panama

Railway or any future Panama canal, the United States would submit that experience has shown that no such joint protectorate is requisite; that the Clayton-Bulwer treaty is subject to the provisions of the treaty of 1846 with New Granada, while it exists, which treaty obliges the United States to afford, and secures to it the sole protectorate of any transit by the Panama route; and if Great Britain still claimed the right to join in the protectorate the United States would then determine whether the "treaty stipulations" proposed by Great Britain regulating that joint protectorate were just; and if so, whether the length of time during which Great Britain has concurred in the protection of the Panama route under the treaty with New Granada has or has not relieved the United States from any obligation to accept a proposal from that Government to join in the guaranty.

I may then state the President's views on the whole subject, which I do with an assurance that they will meet with a candid consideration from Lord Granville, and with the hope that they may be substantially concurred in by Her Majesty's Government.

The Clayton-Bulwer treaty was concluded to secure a thing which did not exist, and which now never can exist. It was to secure the construction of a canal under the grant of 1849 from Nicaragua that the United States consented to waive the exclusive and valuable rights which have been given to them; that they consented to agree with Great Britain that they would not occupy, fortify, colonize, or assume dominion over any part of Central America; and that they consented to admit Her Majesty's Government at some future day to a share in the protection which they have exercised over the Isthmus of Panama.

The Government and people of the United States, though rich in land and industry, were poor in money and floating capital in 1850. The scheme for a canal, even without the complications of the Mosquito protectorate, was too vast for the means of the Americans of that day, who numbered then considerably less than one-half of their numbers to-day. They went to England, which had what they had not, surrendered their exclusive privileges, offered an equal share of all they had in those regions in order, as expressed in the seventh article of the treaty, "that no time should be unnecessarily lost in commencing and constructing the said canal." Through no fault of theirs time was unnecessarily lost, the work was never begun, and the concession failed.

The President does not think that the United States are called upon by any principle of equity to revive those provisions of the Clayton-Bulwer treaty which were especially applicable to the concession of August, 1849, and apply them to any other concession which has been since or may hereafter be made. The conditions of 1852 are not those of 1852. The people of the United States have now abundance of surplus capital for such enterprises, and have no need to call upon foreign capitalists. The legislative branch of the Government of the United States may also desire to be free to place the credit of the United States at the service of one or more of these enterprises.

The President does not feel himself warranted in making any engagement or any admission respecting the extinct provisions of the Clayton-Bulwer treaty which would prevent or interfere with such a purpose. On the contrary, frankness requires him to say that, as the persons who held the grant which the United States understood to be accepted by the two governments under the provisions of the treaty have not "carried out the proposed enterprise," the United States esteem themselves competent to refuse to afford their protection jointly with Great Britain to any other persons or company, and hold themselves free hereafter to protect any interoceanic communication in which they or their citizens may become interested in such way as treaties with the local sovereign powers may warrant and their interests may require.

There are some provisions of the treaty which the President thought might be advantageously retained. With this purpose the present correspondence was opened by the note to you of the 19th November last, in which these points were indicated. The President is still ready on the part of the United States to agree that the reciprocal engagements respecting the acquisition of territory in Central America, and respecting the establishment of a free port at each end of whatever canal may be constructed, shall continue in force and to define by agreement the distance from either end of the canal where captures may be made by a belligerent in time of war, and with this definition thus made to keep alive the second article of the treaty. He hopes that Lord Granville, on further consideration, may not be averse to revising his opinion that such agreements would not be beneficial.

To the suggestion made by Lord Granville at the close of this note of January 7, that the United States should take the initiative in an invitation to other powers to participate in an agreement based upon the convention of 1850, the President is constrained, by the considerations already presented, to say that the United States can not take part in extending such an invitation, and to state with entire frankness that the United States would look with disfavor upon an attempt at a concert of political action by other powers in that direction.

It is not necessary to observe that there is no provision of the Clayton-Bulwer treaty which authorizes Great Britain to invite or obliges the United States to accept the aid of other nations to protect or to guarantee the neutrality of the Panama route.

Fortunately the want of harmony in the views of the two Governments can have at present no injurious influence. No canal yet exists across the Isthmus, and in the natural course of events some time must elapse before one can be constructed. Meanwhile the points of divergence between Her Majesty's Government and that of the United States may disappear. The President hopes that long before the subject becomes one of practical importance Her Majesty's Government may be brought to see that the interests of Great Britain and of the United States in this matter are identical, and are best promoted by the peaceful policy which he has marked out for this country.

In the meantime the diversity of opinion which now exists will not in any wise impair the good understanding happily existing between the people and Governments of the United States and Great Britain.

You will read this dispatch to Lord Granville, and if he desires to have a copy of it you may leave one with him.

[Mr. Frelinghuysen, Secretary of State, to Mr. Hall, July 19, 1894.]

The Clayton-Bulwer treaty was voidable at the option of the United States. This, I think, has been demonstrated fully on two grounds. First, that the consideration of the treaty having failed, its object never having been accomplished, the United States did not receive that for which they covenanted; and second, that Great Britain has persistently violated her agreement not to colonize the Central American coast.

[From message of President Hayes of March 8, 1890.]

This Government can not consider itself excluded, by any arrangement between other powers or individuals to which it is not a party, from a direct interest, and if necessary a positive supervision and interposition, in the execution of any project which, by completing an interoceanic connection through the Isthmus, would materially affect its commercial interests, change the territorial relations of its own sovereignty, and impose upon it the necessity of a foreign policy, which, whether in its feature of warlike preparation or entangling alliance, has been hitherto sedulously avoided. (Ibid. For other portions of this instruction, see *supra*, § 145.)

The policy of this country is a canal under American control. The United States can not consent to the surrender of this control to any European power or to any combination of European powers. If existing treaties between the United States and other nations, or if the rights of sovereignty or property of other nations, stand in the way of this policy—a contingency which is not apprehended—suitable steps should be taken by just and liberal negotiations to promote and establish the American policy on this subject consistently with the rights of the nations to be affected by it.

The capital invested by corporations or citizens of other countries in such an enterprise must, in a great degree, look for protection to one or more of the great powers of the world. No European power can intervene for such protection without adopting measures on this continent which the United States would deem wholly inadmissible. If the protection of the United States is relied upon, the United States must exercise such control as will enable this country to protect its national interests and maintain the rights of those whose private capital is embarked in the work.

An interoceanic canal across the American isthmus will essentially change the geographical relations between the Atlantic and Pacific coasts of the United States, and between the United States and the rest of the world. It will be the great ocean thoroughfare between our Atlantic and our Pacific shores, and virtually a part of the coast line of the United States. Our merely commercial interest in it is greater than that of all other countries, while its relations to our power and prosperity as a nation, to our means of defense, our unity, peace, and safety, are matters of paramount concern to the people of the United States. No other great power would, under similar circumstances, fail to assert a rightful control over a work so closely and vitally affecting its interest and welfare.

Without urging further the grounds of my opinion, I repeat, in conclusion, that it is the right and the duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests. This, I am quite sure, will be found not only compatible with, but promotive of, the widest and most permanent advantage to commerce and civilization.

[Messrs. Ellsworth, Davis, and Murray to the French negotiators, July 23, 1850.]

This annulling act, however, whatever might be its municipal effect, by itself could not internationally release the United States from its obligations to France. *Supra*, section 9 (last clause).

In *Chirac vs. Chirac* (2 Wheat., 272) Marshall, C. J., said that there was in July, 1799, "no treaty in existence between the two nations." This, however, applies merely to the municipal operations of the treaty.

The act of Congress was sustained by the American envoys, in a letter to the French envoys, dated at Paris, July 23, 1850, on the ground of prior violation by France. (*Infra*, section 248.) "It was remarked that a treaty, being a mutual compact, a palpable violation of it by one party did, by the law of nature and of nations, leave it optional with the other to renounce and declare the same to be no longer obligatory; and that, of necessity, there being no common tribunal to which they could appeal, the remaining party must decide whether there had been such violation on the other part as to justify its renunciation. For a wrong decision it would doubtless be responsible to the injured party, and might give cause for war; but even in such case its act of public renunciation, being an act within its competence, would not be a void, but a valid act, and other nations whose rights might thereby be beneficially affected would so regard it."

"That it had become impossible for the United States to save their commerce from the depredations of French cruisers but by resorting to defensive measures; and that as, by their Constitution, existing treaties were the supreme law of the land, and the judicial department, who must be governed by them, is not under the control of the executive or legislative, it was also impossible for them to legalize defensive measures incompatible with the French treaties while they continued to exist. Then it was that they were formally renounced."

"To the still further suggestion that the laws of nations admitted of a dissolution of treaties only by mutual consent or war, it was remarked by the undersigned that their conviction was clearly otherwise, and that Vattel in particular, the best approved of modern writers, not only held that a treaty violated by one party might, for that reason, be renounced by the other, but that where there were two treaties between the same parties, one might be rendered void in that way and the other remain in force; whereas when war dissolves, it dissolves all treaties between the parties at the time."

CLAYTON-BULWER TREATY.

[Appendix 1.—Senate Document No. 291, Fifty-fifth Congress, second session. Nicaragua Canal.]

IN THE SENATE OF THE UNITED STATES, June 8, 1853.

Resolved, That the treaties, known as the Clayton-Bulwer treaty and the Frothinghams-Zavala treaty, relating to a maritime canal in Nicaragua, and the treaty between the United States and Nicaragua, relating to such canal, and the concessions of Nicaragua and Costa Rica to A. G. Menocal and his associates, relating to said canal, be printed together as a document for the use of the Senate.

Attest:

WM. R. COX, Secretary.

CLAYTON-BULWER TREATY OF APRIL 19, 1850.

The United States of America and Her Britannic Majesty, being desirous of consolidating the relations of amity which so happily subsist between them, by setting forth and fixing in a convention their views and intentions with reference to any means of communication by ship canal which may be constructed between the Atlantic and Pacific oceans by the way of the River San Juan de Nicaragua and either or both of the lakes of Nicaragua or Managua, to any port or place on the Pacific Ocean, the President of the United States has conferred full powers on John M. Clayton, Secretary of State of the United States, and Her Britannic Majesty on the Right Honorable Sir Henry Lytton Bulwer, a member of Her Majesty's most honorable privy council, knight commander of the most honorable Order of the Bath, and envoy extraordinary and minister plenipotentiary of Her Britannic Majesty to the United States, for the aforesaid purpose; and the said plenipotentiaries, having exchanged their full powers, which were found to be in proper form, have agreed to the following articles:

ARTICLE I.

The Governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship canal; agreeing that neither will ever erect or maintain any fortifications commanding the same or in the vicinity thereof, or occupy, or fortify, or colonize, or assume, or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any state or people, for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito

Coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connection, or influence that either may possess with any state or government through whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the citizens or subjects of the one, any rights or advantages in regard to commerce or navigation through the said canal which shall not be offered on the same terms to the citizens or subjects of the other.

ARTICLE II.

Vessels of the United States or Great Britain traversing the said canal shall, in case of war between the contracting parties, be exempted from blockade, detention, or capture by either of the belligerents; and this provision shall extend to such a distance from the two ends of the said canal as may hereafter be found expedient to establish.

ARTICLE III.

In order to secure the construction of the said canal the contracting parties engage that if any such canal shall be undertaken upon fair and equitable terms by any parties having the authority of the local government or governments through whose territory the same may pass, then the persons employed in making the said canal, and their property used, or to be used, for that object, shall be protected, from the commencement of the said canal to its completion, by the Governments of the United States and Great Britain from unjust detention, confiscation, seizure, or any violence whatsoever.

ARTICLE IV.

The contracting parties will use whatever influence they respectively exercise with any state, states, or governments possessing or claiming to possess any jurisdiction or right over the territory which the said canal shall traverse, or which shall be near the waters applicable thereto, in order to induce such states or governments to facilitate the construction of the said canal by every means in their power. And furthermore, the United States and Great Britain agree to use their good offices, wherever or however it may be most expedient, in order to procure the establishment of two free ports, one at each end of the said canal.

ARTICLE V.

The contracting parties further engage, that when the said canal shall have been completed, they will protect it from interruption, seizure, or unjust confiscation, and that they will guarantee the neutrality thereof, so that the said canal may forever be open and free, and the capital invested therein secure. Nevertheless, the Governments of the United States and Great Britain, in according their protection to the construction of the said canal, and guaranteeing its neutrality and security when completed, always understand that this protection and guarantee are granted conditionally, and may be withdrawn by both Governments, or either Government, if both Governments, or either Government, should deem that the persons or company undertaking or managing the same adopt or establish such regulations concerning the traffic thereupon as are contrary to the spirit and intention of this convention, either by making unfair discriminations in favor of the commerce of one of the contracting parties over the commerce of the other, or by imposing oppressive exactions or unreasonable tolls upon passengers, vessels, goods, wares, merchandise, or other articles. Neither party, however, shall withdraw the aforesaid protection and guarantee without first giving six months' notice to the other.

ARTICLE VI.

The contracting parties in this convention engage to invite every state with which both or either have friendly intercourse to enter into stipulations with them similar to those which they have entered into with each other, to the end that all other states may share in the honor and advantage of having contributed to a work of such general interest and importance as the canal herein contemplated. And the contracting parties likewise agree that each shall enter into treaty stipulations with such of the Central American States as they may deem advisable, for the purpose of more effectually carrying out the great design of this convention, namely, that of constructing and maintaining the said canal as a ship communication between the two oceans for the benefit of mankind, on equal terms to all, and of protecting the same; and they also agree that the good offices of either shall be employed, when requested by the other, in aiding and assisting the negotiation of such treaty stipulations; and should any differences arise as to right or property over the territory through which the said canal shall pass between the states or governments of Central America, and such differences should in any way impede or obstruct the execution of the said canal, the Governments of the United States and Great Britain will use their good offices to settle such differences in the manner best suited to promote the interest of the said canal and to strengthen the bonds of friendship and alliance which exist between the contracting parties.

ARTICLE VII.

It being desirable that no time should be unnecessarily lost in commencing and constructing the said canal, the Governments of the United States and Great Britain determine to give their support and encouragement to such persons or company as may first offer to commence the same, with the necessary capital, the consent of the local authorities, and on such principles as accord with the spirit and intention of this convention; and if any persons or company should already have, with any state through which the proposed ship canal may pass, a contract for the construction of such a canal as that specified in this convention, to the stipulations of which contract neither of the contracting parties in this convention have any just cause to object, and the said persons or company shall moreover have made preparations, and expended time, money, and trouble, on the faith of such contract, it is hereby agreed that such persons or company shall have a priority of claim over every other person, persons, or company to the protection of the Governments of the United States and Great Britain, and be allowed a year from the date of the exchange of the ratifications of this convention for concluding their arrangements and presenting evidence of sufficient capital subscribed to accomplish the contemplated undertaking; it being understood that if, at the expiration of the aforesaid period, such persons or company be not able to commence and carry out the proposed enterprise, then the Governments of the United States and Great Britain shall be free to afford their protection to any other persons or company that shall be prepared to commence and proceed with the construction of the canal in question.

ARTICLE VIII.

The Governments of the United States and Great Britain having not only desired, in entering into this convention, to accomplish a particular object, but also to establish a general principle, they hereby agree to extend their protection, by treaty stipulations, to any other practicable communications, whether by canal or railway, across the isthmus which connects North and South America, and especially to the interoceanic communications, should the same prove to be practicable, whether by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and

Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

ARTICLE IX.

The ratifications of this convention shall be exchanged at Washington within six months from this day, or sooner if possible.

In faith whereof we, the respective plenipotentiaries, have signed this convention, and have hereunto affixed our seals.

Done at Washington, the 19th day of April, A. D. 1850.

JOHN M. CLAYTON.

HENRY LYTTON BULWER. [L. S.]

Nicaragua Canal.

SPEECH

OF

HON. OSCAR W. UNDERWOOD,

OF ALABAMA.

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 6, 1898.

The House being in the Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11414) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes—

Mr. UNDERWOOD said:

Mr. CHAIRMAN: The road to wealth and greatness for all countries of to-day is through its commerce. And the commerce of nations is to a large extent bounded by its transportation facilities.

Some countries may be the sole producers of some particular commodity, and therefore have no competitor in foreign markets, as China practically has in the production of tea; but, even in such a case, the increased cost of the commodity by reason of transportation charges limits the number of consumers, and therefore the amount that can be sold.

In the sale of merchandise in distant markets, where competitors must be met and overcome, the most important question will always be the cost of transportation. In the shipment of articles of bulk and weight to distant markets the freight charges will sometimes exceed the original cost at the point of shipment and are always a great factor in the final cost. To illustrate: California is a great wheat-producing State, but no part of its great annual crop can be sold in the Eastern or Southern States because it can not bear the freight charges for a railroad haul across the continent and be sold at a profit when it reaches its destination. Southern cotton is competing with that of India and Egypt in the markets of China and Japan, but the cotton grower must surrender part of his profits to pay the heavy transportation and insurance charges for a voyage around Cape Horn.

Our manufacturing interests are to-day competing with the English manufactures in the markets of the Orient, but the Englishman has the advantage by reason of the fact that he is thousands of miles nearer those markets by water routes than we are, and articles of bulk and weight can not be shipped across the continent by rail and compete at all. Each mile of travel costs a certain amount, and every mile we are compelled to carry the products of our mills and factories to meet our competitors means a reduction of our profits, that in the end must come out of the pockets of the American manufacturer or the wages of his employees. It is therefore evident that the toiling masses of our people in all branches of industry are equally interested in any enterprise that will give us a more direct water route to the markets of the Orient and South America.

The undertaking is not a new one. When Columbus started on his daring voyage across the Atlantic Ocean over four hundred years ago it was not to discover America, but to find a western passage to the East Indies, and from that day to this the mind of man has been devising plans to secure a water route across the narrow strip of land that joins this continent with South America. When we consider the great benefits that would accrue to us and realize that to break down the barrier in the way only requires the building of two canals—one from San Jorge, on Lake Nicaragua, to Breto, on the Pacific Ocean, a distance of 17 miles, and the other from Ochoa, on the San Juan River, a distance of about 30 miles, to Greytown, on the Atlantic Ocean, the elevation at no point being more than 153 feet—it seems almost incredible that the energy and wealth of the American people and the skill and ability of the American engineer have not long since accomplished the desired result.

A brief statement of the plan proposed in building the Nicaragua Canal is to start at or near Greytown, on the Atlantic side,

thence up the river and lake to the little village of San Jorge, and from there cut a canal across to the town of Breto, on the Pacific Ocean. The distance across the country of Nicaragua is about 170 miles. The reasons for the selection of this route are that the chain of mountains that extend from Alaska to the extreme point of South America are depressed at a point near Breto to only 153 feet, the lowest point in the entire range; that Lake Nicaragua, at an elevation of 110 feet above the level of the sea, will supply all the water needed for the locks, and the greater portion of the route, 151 miles, will be on the lake and the San Juan River, which connects it with the ocean—in truth, small steamboats in high water can now go up the San Juan River and across Lake Nicaragua to a point only 17 miles from the Pacific Ocean; that the route is within the region of the trade winds and above the tropical belt where calm predominates will be of great advantage to sailing vessels.

The canal is to be 168 miles from Breto to Greytown. The first half mile from Breto will be at sea level. It will then, in a distance of 2 miles, rise 110 feet through three locks to a level with the lake. From San Jorge, down the lake, to San Carlos, at the mouth of San Juan River, is 56½ miles; thence, with little dredging, down the river 64½ miles to Ochoa. At this point two low hills are found at opposite sides of the river, and it is proposed to build a dam 1,200 feet long and 70 feet high that will make the water of the upper river navigable to the largest vessels. From Ochoa a canal will be built, keeping the same level of the lake for 15½ miles, and then in 4½ miles descend in three locks of 45, 31, and 30 feet to the level of the Atlantic; thence the canal will extend 9½ miles to the sea at Greytown. Of the 168 miles of canal, 121 miles will be through lake and river, 21 miles through basins, and only 26 miles through excavations.

The harbor at Greytown is a safe one, but there is a sand bar at the entrance that must be removed. At Breto a good harbor can be made with breakwater at a comparatively small cost. It is estimated that it will take a vessel twenty-eight hours to pass through the canal from ocean to ocean. The great saving in time and distance is best illustrated by the trip of the battle ship *Oregon*, which in the late Spanish-American war sailed from San Francisco March 19, 1898, around Cape Horn and reached Jupiter, Fla., on the 24th of the following May. A voyage of 15,987 miles in fifty-five days. The distance from San Francisco to Jupiter by the Nicaragua Canal is about 4,800 miles, a saving of more than two-thirds of the distance and a much greater saving in time and expense. The canal will double the efficiency of our Navy and will be of incalculable value in time of war.

In the last thirty years a number of surveys have been made by civil engineers of the highest rank in their profession, and not in a single instance have they reported the plan impracticable. But in every instance they hold that the plan is not only one susceptible of practical accomplishment, but that it entails no new or unusual engineering difficulties. The cost has been variously estimated, varying largely, on account of difference in the proposed depth and width of the canal and size of the locks, from \$70,000,000 to \$155,000,000; but the latest report by a board of engineers appointed by this Government estimates the cost of a canal along the route described above, large enough to be used by our largest men-of-war, at \$124,000,000. This sounds like a large sum of money, but when it is compared with the \$150,000,000 Congress appropriates each year for pensions, and we remember that the last river and harbor bill carried expenditures of \$60,000,000 for improving rivers and harbors whose commercial advantages to the whole people can not be compared with those of the canal, the cost seems a small matter when compared to the great benefits to be derived.

It is not proposed to make this canal free to all ships, but, like the Suez, to charge tolls, which will certainly pay the charge of maintenance and the interest on the money expended, and in all probability will pay back the principal expended by the Government. It is estimated that the traffic through the canal within two years after its completion will amount to about 8,000,000 tons, and, of course, will increase as the world's commerce increases. In 1897 there were 2,966 vessels that passed through the Suez Canal, with a tonnage of 7,899,373, with an average toll of \$1.70 per ton. The total receipts amounted to \$14,183,682; the cost of operation and maintenance is about \$2,500,000, which leaves a good balance to pay dividends on the total cost of \$122,000,000. The commerce of the world could well afford to pay a toll of \$2 a ton to pass through the Nicaragua Canal rather than pay the additional insurance charges, cost of coal, wages to seamen, etc., that must accrue in a voyage around Cape Horn.

On a tonnage of 8,000,000 a year, at \$2 per ton, would produce a gross revenue of \$16,000,000, and allowing \$3,000,000 for operation and maintenance charges, it would produce a net return of \$13,000,000. Our Government can borrow all the money it needs at 3 per cent interest. On \$124,000,000, the cost of the canal, the interest charges would amount to \$3,720,000, leaving \$9,280,000 to be applied each year to reimburse the Government for its original

expenditure. And as the interest charges should stop on each annual payment (thereby decreasing the interest charges and increasing the amount available for repayment of the principal), the entire amount would probably be returned to the Treasury in ten years, and then American ships could be given free passage, the toll on foreign ships being sufficient to pay maintenance charges.

The resulting benefits of this great enterprise are of so much weight to our people that every exertion must be used to accomplish this end. There have been some who questioned the power of Congress to engage in the enterprise, but the same authority that authorizes Congress to construct a navy of necessity carries with it the power to do all that is necessary to make that navy efficient; and it can not be denied that the ability to rapidly assemble our men-of-war in either the Pacific or Atlantic Ocean in times of danger would nearly double the efficiency of the fleet.

The people understand the question and are in favor of building the canal. The question has been investigated for years by expert engineers and the plans are ready. The time has come for action. Let Congress make the closing year in the nineteenth century memorable by commencing the building of this canal as a monument to the future commercial greatness of the nation and the prosperity of our people.

Prosperity has Come—The Promise of the Republican Party Fulfilled.

I congratulate you upon the evidence of returning prosperity everywhere to be seen. The figures read by your chairman represent the growth of the great railroad system of the country. What you want, what we all want, is business prosperity. When we have that you have something to do. When you have it not, then you are idle.

There are few "empties" now on the side tracks; and so there are few railroad men unemployed. The more you use the freight car, the oftener you see the pay car. (From President McKinley's speech to the allied organizations of railroad employees, delivered in the First Regiment Armory, Chicago, Ill., October 20, 1896.)

SPEECH

OF

HON. CHARLES H. GROSVENOR,
OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 7, 1899.

The House being in the Committee of the Whole on the state of the Union, and having under consideration the legislative, executive, and judicial appropriation bill—

Mr. GROSVENOR said:

Mr. CHAIRMAN: I deem this a proper time to make some remarks upon a subject of vital importance to the people of the country, and yet which scarcely pertains to the bill under consideration. I am under obligations to the House for its great courtesy in permitting me to postpone participating in the general debate of yesterday and to occupy the time this morning.

I wish to speak upon the subject of the attitude of the political parties of the country to the present condition, financial, commercial, and industrial, of the country. I shall confine myself strictly to the subject-matter thus indicated, and shall fortify my declarations by certain publications of an official and corrected character relating to the present affairs of the country, and which may be relied upon as a true exhibit of the whole situation.

The campaign of 1896 was one of the most interesting that this country has ever witnessed. It was a wonderful campaign, because of the clearly defined issues and the vigor and manliness, courage and ability, with which each side supported its position.

It will be borne in mind that during the year prior to the assembling of the two great national conventions, the one at St. Louis, which nominated the Republican candidate, and that which shortly followed at Chicago, which nominated the Democratic candidate, there was a condition in this country, recognized by men of all parties, which I will only attempt very feebly and faintly to describe.

I think it is fair to say, and I think it will not be successfully contradicted, that never in the history of the United States, at least from a period shortly following the Revolution, did we ever see harder times than we saw in the early months of 1896, and which continued all along the summer and fall of that year. I do not mean to say that there was so large a proportion of hungry men and women as is described by the historians of the five years that followed the Revolutionary war, but I do mean to say that from the standpoint of national prosperity there never was a period of time when the people of the United States were suffering under greater financial, commercial, and industrial distress than they were suffering in the year 1896.

That distress had grown in a large part, its keenness, at least, had been emphasized, by the fact that the period in which we found ourselves was a period into which we had come, emerging from a period of splendid prosperity. At the assembling of Congress in December, 1892, the President of the United States, sending to Congress his last annual message, described in graphic language the splendid condition of the country, the fairness and justness and truthfulness of which statement has never been challenged in the United States. The bitterest opponents of the Republican party, the strongest critics of Harrison's Administration, never yet challenged the fairness of his declaration to Congress when it assembled in this Capitol December, 1892. I read but a single paragraph:

In submitting my annual message to Congress, I have great satisfaction in being able to say that the general conditions affecting the commercial and industrial interests of the United States are in the highest degree favorable. A comparison of the existing conditions with those of the most favored period in the history of the country will, I believe, show that so high a degree of prosperity and so general a diffusion of the comforts of life were never before enjoyed by our people.

And following that he gives in detail the growth of our industries and splendid progress of our financial and commercial condition.

Now, we had come from that sort of condition and waded through the years 1893, 1894, and 1895, and found ourselves in 1896 entering upon a Presidential campaign with a condition such as I have very feebly described. There were more idle men in the United States on the election day of 1896, or the day preceding it, than on any other day in its history prior to that time. There were fewer in 1892 than on any other day preceding it. Prices of commodities, as I will show by the tables, had fallen far below the cost of production and far below any former condition. I will not stop, because the time of the House is valuable, to read from the various reports, but in the end will ask unanimous consent to simply fortify my position with these tables, pledging myself to the House that not one word outside of that shall be placed in this speech other than that which I shall myself utter in the presence of the House.

Now, then, both parties met this responsibility, and, as I said before, neither party denied the condition. If a Republican in 1896 had condemned existing conditions and eloquently portrayed the sufferings and ruin of his country, he was outdone by the declarations of men of the other party that ultimately organized in support of the candidate of the Chicago convention.

So I start out by the assumption that it will not be denied that there was no favorable condition. Turn your eyes where you would—to the east or to the west, the north or the south, to our domestic productions, to our domestic markets or our foreign trade or the foreign markets—everywhere there was gloom and despondency, uncertainty and hesitation. Long lines of railroads were in the hands of receivers, more miles of railroad entered the courts for adjudication and management during the period about which I am speaking than in any other period in the history of the country in the same proportion. Idle men and valueless rolling stock and dividendless securities stood in the places of the country, and money was idle and enterprise had been well-nigh forgotten.

Now, both parties went to the national convention to devise a scheme; not to deny the condition, but to propose a remedy; not to say this condition does not exist, we will stand by existing conditions, but admitting all and ten times more than I can put into words, and then say, "We come with a remedy." The Democratic party, that mighty organization, all intelligent men, all patriotic men—I have no criticism upon that line of discussion—went to Chicago duly appreciating the terrible responsibility that pressed upon them, and they made known to the country their cure. They did not deny the conditions, they did not defend against them, but they said there are two things we propose—one an affirmative act and the other a negative one; one to do something, the other to refuse to do something.

They said first, "We will stand by the Wilson tariff law. We will not admit to the American people, in our platform or other public declarations, that by any possibility the terrible conditions which have come upon the country came from the repeal of the McKinley law and the enactment of the Wilson law." But they said—and here I want to put the matter in plain but fair language—they said, "The affirmative thing which we propose to do is to adopt for this country a system of coinage under which silver shall be coined at the ratio of 16 to 1, upon the principle and practice of free and unlimited coinage of silver. This is our panacea."

There was in the whole of that platform nothing of an affirmative character offered to the people of the country other than that which I have indicated. They said: "All the evils of the country have come from the repeal of the coinage act of 1873 and the consequent adherence by the dominant party in the country to the existing gold standard." And then that party—for when I speak of the party I speak of the men authorized to make the great and leading declarations in its behalf—that party said another thing;

and therein was a political blunder—no man can make a greater one—no political party can deviate more widely from judicious management. They said: "Without this you will never have better times in the United States."

Witness the declaration of the distinguished candidate of that party for President when he challenged the farmers of a locality—"You would like to sell your wheat for more than 45 cents a bushel, but you will never do it until you restore the silver dollar to its place in the coinage at the ratio of 16 to 1." Further than that, speaking upon the general plane of discussion, and regretting, as we all did, the prostration of the great agricultural interests of the country, he said, "There will never be any better times in this country until the coinage of silver at 16 to 1 shall be established by law." That was a most unfortunate declaration, because it has constantly been an issue and has been constantly hanging before the eyes of the people as a test question that has always been significant, as history will show, of failure from the beginning to the end.

The Republican party, equally conscious of the terrible condition of the country and admitting side by side with the Democrats throughout the country all that I have attempted to describe, went to St. Louis and proposed their remedy, a very simple one, embracing, like that proposed by the Democratic party, one affirmative proposition and one negative. In one of these propositions our party said: "There is no trouble with the currency of the country"—that was the logical effect of its platform—"every dollar of the money of this country is of equal power and value in the markets of the country. The volume of money is quite sufficient," although at that time it was only \$21 and a fraction per capita. But we said: "There is no propriety in this heresy of free and unlimited coinage of silver," and that was denounced without qualification and the simple declaration made that we would stand by the existing gold standard.

Some discussion has arisen in the country as to how broad a construction should be given to that declaration. Did it mean that the present conditions were to be adhered to without change, or did it mean that there was to be some additional legislation that would more emphatically define what was the existing gold standard? But in any event a fair and just construction of the attitude of the Republican party in that campaign was and is now that they did not attribute—that they declined to attribute—to the condition of the currency any of the evils with which we were afflicted.

Furthermore, they declined to either consent to the nostrum of the Democratic party—free and unlimited coinage of silver—or to go with those of their own party that might have been anxious to drive it into some declaration that would have placed it in a position less defensible than to stand upon the great proposition that every dollar of our money was good, and that every dollar of our money was of equal value. There was no need of any declaration by the Republican party, and, indeed, scarcely of any declaration by the Democratic party, so far as its official acts had been concerned.

Under the law creating the bonded debt of the country for the purpose of putting down the rebellion—in the years that followed the outbreak in 1861—the bonds and other obligations of the Government had all been made payable in coin; and by a construction worth more in the civilized world than a mere declaration in writing—by a construction that had involved the payment of millions, and hundreds and thousands of millions, of dollars of interest and principal of the national debt—we had declared by that voice which was louder than party platforms that the obligations of this Government were payable in gold. And so had a Democratic administration of twice four years adopted a similar construction, and had written in its own career and without any protest during one of those administrations from the party in power the construction of the Republican party during all the years that followed the war.

The declaration therefore that we adhered to the existing gold standard was all that was necessary, and in my humble judgment was more than was necessary to plant the Republican party immovably and irrevocably upon the platform of gold redemption.

Then the Republican party said—and this is again recurring to the St. Louis platform—"The trouble about all this is not currency; the trouble about all this is the idle men in the country; that is the result which is harmful; let us look for the cause."

And when we come to scrutinize the history of the country at this period, we find facts, which I will establish by the introduction of figures, beyond all question of controversy that our importations had been gradually rising during that period, and our exports gradually falling; and then when we come to consider what the effect of that was, we discover that hundreds of millions of dollars of the people's money of this country, which was to be used by them for the purchase of the articles of ordinary consumption in the United States, had been sent abroad and paid to the laborers of foreign countries while our laborers were standing idle.

And the Republican party declared that the cure for all of this was to turn the other way this tide of imports, and the stagnant and dead tide, which has paralyzed the exports of the country, turn that outward, and that that must be done and could be done only by the enactment of a Republican tariff law. No other system was possible to effect a cure. There was no other means of changing the two tides which were so manifestly working to the disadvantage of our people.

Our friends on the Democratic side of the House talk of the effect of what they call "the endless chain," which is taking the gold out of the Treasury.

Mr. Chairman, during the last two years of Mr. Cleveland's Administration \$205,000,000 in gold was taken from the Treasury of the United States and carried abroad. For what purpose? It was carried abroad to pay the balances of trade due in foreign countries, and largely made up of the money paid to the laborers of the foreign country, with our own laborers standing here idle. During the last year—and I will refer to it only for a single purpose—during the last year, in which period \$102,000,000 in gold went abroad—this being the average of the last two years of Mr. Cleveland's Administration, and, as I have said, I refer to this only for a single purpose, and that is to make a comparison—under the present Administration, since that went into power, during the last year we exported but \$14,000,000 in gold, and the vast tide of gold that has come sweeping into this country has almost taken the place of the currency of the country, and is the best answer to the whole argument of the "endless chain" to which I have referred.

Mr. Chairman, there never was a single dollar exported from this country to the detriment or injury of its business when there was a Republican Administration in power. There never was a Democratic Administration since the financial question became an interesting one that the endless chain did not begin to run and to produce just the same results to which I have referred. That endless chain is peculiar. It is entirely at liberty to revolve at any time, but it has steadily refused, in all of its history, to revolve when there is a Republican President and Administration in power. It always revolves in times of danger; and hence we come back to the main proposition, which was the keynote of the St. Louis convention, that it was the export of gold abroad; it was the trading in the markets in Europe; it was the destruction of our home markets that caused all of the trouble in this country.

But, sir, I must hasten on. I have only outlined the two propositions. The Democratic proposition to the country is that their remedy was the right one; and secondly, their declaration to the country that without their remedy no return of prosperity was possible to the country; and on the contrary the Republican proposition presented not with the defiance of our Democratic friends, but on the assurance builded on its faith in the principles of the Republican party, declaring that our remedy was to stand by existing conditions so far as the gold standard was concerned and to return to the days of the McKinley tariff law as the foundation of national prosperity.

I need not, Mr. Chairman, recount the conditions of the campaign of 1896 or its history. No man ever lived who participated in so grand a battle. It was a battle of giants. It was a contest of ideas. The issues were absolutely clear-cut and distinctly defined. The future conditions of the country incident to a retention of the gold standard was the subject and stock in trade of the arguments of our Democratic friends. And I undertake to say that on the morning of that memorable day in November, 1896, there was more anxiety for the future welfare, stating it in broad and sweeping terms, in the United States than in any of the years of our existence prior to that day.

There were matters involved in the controversy which presented the question of the soundness of public sentiment; there were matters discussed in the last two weeks of the campaign most vigorously everywhere that had a menacing, evil, and threatening aspect. Men went home and went to bed at the close of the election day fearing that there might be a declaration announced by the people of the United States on the next morning that would unsettle our reverence for the courts of the country and bring about a condition of things which would be in the nature of mental revolution, if it did not lead to worse results.

I think it is fair to say that during the campaign no man shirked the responsibility of his position. I never heard of a Democrat who advocated the election of Mr. Bryan, or a free-silver Republican, or what not, who fell into the train of the great party and became its followers—I never heard of one of them modifying his position, or apologizing for it; but he stood up and battled for it; and I never heard of a Republican—there may have been such—who did not as manfully denounce the whole platform and purposes of the Democratic party and place the issue before the people without qualification or modification.

The election resulted in the success of the Republican ticket, the election of McKinley, the election of a Republican House of

Representatives to the Fifty-fifth Congress, and the ultimate and rapid assembling of that body on the 15th of March, 1897.

Now, I shall not go into details about what has happened, so far as my speech is concerned, for I have here the incontestable declaration of history that in my judgment shows a condition that I can not undertake in an hour's time to describe. During the period that followed the advent of Mr. McKinley into office there was no small degree of uncertainty in this country as to what the outcome at last would be. We had a Republican House that responded promptly to the demands of the people of the country and passed the Dingley bill.

Nobody denied that that was our duty. Everybody understood that that was the issue. Everybody understood that that was the verdict of the election. Everybody understood that that was the derelict in political duty and patriotism if such a bill was not passed and passed without any unnecessary delay; but, after a long and careful consideration of every item of that measure, it was passed in the House of Representatives. What was to be its fate in the Senate? There was a clear majority, in the aggregate, wholly opposed to the Republican party. There was a clear majority of Senators who had voted either for Mr. Bryan or for the National Democratic candidates, so called.

Now, what was to come? And there was the trouble about which our Democratic friends were so much worried. McKinley had been elected in November. Hard times continued. Gloom and despondency hovered over the labor sections of our country. The tariff bill was passed in the House. Yet hard times were here, and there was no ray of light anywhere athwart the horizon of our financial condition. Some confidence began to be manifested in the great money centers, and the endless chain ceased to revolve, but doubt and uncertainty hovered over the north end of this Capitol. Never in the history of politics, never in the history of free government, never in the history of a government by the people, was there a more splendid demonstration of what the power of a majority of the masses of a mighty people can do than was exhibited when the Senate of the United States passed the Dingley bill.

It is enough to say that the result was not only an agreeable surprise to the Republicans of the United States and the conservative men of the country, but it was accepted by the men of all parties who understood that the responsibility of government for four years had been devolved upon the Republican organization, that this will of the Republican party, this plan of the Republican party, that had thus been foreshadowed in its platform, had thus been indorsed at the ballot box, should not be resisted by factional opposition, but should be carried into an experimental condition at least by the votes of at least 10 men who had been its opponents at the election.

So the experiment was made. There was no change in the currency, no declaration changing the position of the Republican party upon the question of finance. Its history remained its declaration; its public acts were its platform. There was no change whatever. Congress came and Congress went. It came in extra session. It came in the regular long session. It enacted the tariff law. It passed the necessary appropriation bills. It entered upon the great period of war, the great period of loyalty to the Government, the great period which will be memorable in the history of our nation and of civilization as the period when sectionalism and animosity growing out of past disturbances were burned up, absolutely consumed, in the great furnace of patriotic devotion to the cause of the flag and the Union.

Then we looked about us to see, and our friends were very much disturbed, and I think that if I was to make a criticism, which I will not, of the personal act or the declaration of the great leader of the Democratic party in 1896 I would say that the most unfortunate utterance that he ever made, and one which he himself would be most willing to withdraw to-day, if he had the opportunity, was what is reported to have been said by him from time to time upon his lecturing tour, his coming into the towns and cities of the country and inquiring if "general prosperity" had arrived. It was beneath the dignity of a great man, a man made great by a great political party independent of his own personal magnitude.

We are approaching the end of the second year of this Administration; we are only just a few months past the first year of the operation of the plans and projects and purposes of the Republican party. The 24th day of July, 1897, saw for the first time the people hopeful of the future, and only on the 24th day of last July had seen a year roll around. Now I am only going to make a few very general propositions, and then submit these documents in an appendix to my speech, to vindicate my statement of every one of these facts.

There never was a period in the history of this country or of any other country when so mighty a change took place in the same length, or in ten times the length, of time as has taken place in the condition of this country between the 4th day of March, 1897,

and the period in which we are living this hour. Very few railroads have gone into the hands of receivers during that period, and those that did went there through the burdens and misfortunes of the four years which had just elapsed. The purchase of railroad transportation to meet the necessities of the railroad lines of the United States has been more than four times greater during the last year than in any other year in the period to which I have referred. President McKinley well said, in speaking to an organization of railroad men in Chicago:

You do not see many empties on the side track now, and the more freight cars you see, the oftener you see the pay car.

In that we see a complete illustration of the condition of more than a million of the American people. Railroad employees are better paid and more fully employed than ever before. The great railroad lines of this country are to-day absolutely without the power to carry the commodities that the people of the country have produced, and are trying to press into the markets of the world for the limit that has been put upon the construction of cars. There is not a railroad line on the Eastern seaboard running into the great Middle West, the great Northwest, out to the Rocky Mountains and down to the Pacific coast that can undertake specifically to carry your commodities within a reasonable limit of time.

Our foreign trade is without parallel. I know that it will be said in answer to this, if I challenge by my speech a review of it—I know it will be the old story—that there was somewhere hard times, that there was somewhere short crops, and that our export trade has been produced by the great demand for the cereal products and food products of this country. To a large extent that was true in the year 1897; in no respect is that true for the year 1898. And yet this mighty demand has gone forward and the trade in our agricultural production abroad is greater to-day by more than 40 per cent than in any other equal period of our history. Now, then, while that has been going on, let us see how we have illustrated that great argument of our Democratic friends upon the question of protective tariff.

Among the earliest speeches I heard upon this floor, nearly fifteen years ago, when I came here a new member of the House, was a speech of that distinguished member from Texas, since transferred to a position which he graces and honors in the Senate of the United States, in which Mr. MILLS, then a Representative, argued with great force the old doctrine of the free trader—that there must be an interchange of commodities and that there must be a condition of legislation existing between various States that would bring about that sort of interchange of commodities; and then came the old illustration of the Chinese Wall, and the declaration made, with great power and with some effect upon me, I will admit, that we must trade with other nations or other nations would not trade with us.

And yet, Mr. Chairman, in this exact condition which I have been describing, every month from the 24th day of July, 1897, down to to-day—every month the imports into this country have been narrowing down and contracting, and the exports of this country bought and paid for by foreign countries have on each recurring month been growing in magnitude. In November, 1898, we exported more than in any other month of any other year of our history. In the month of December, as shown by actual reports, and by the estimates of the last few days of the month, it is even greater than that.

So we have broken down the Chinese Wall theory. The wall stands, but its effect has been discounted. The wall is there—the protective-tariff system—but its effect on our commerce will never again be thus described successfully by any intelligent man to any intelligent American audience.

Six hundred and seventeen million dollars in a single year marks the balance in favor of the trade of the United States with foreign countries. We have sold \$617,000,000 more of the products produced on our farms, in our shops, in our mines, through the intelligence, the skill and industry, and the perseverance of our people, than we have been compelled to buy, and that notwithstanding that during the early days of the war we bought everything that we could get our hands on that was fit for war material from abroad and brought here.

I may stop right here and say what I ought to have said at an earlier period, that one statement of the Democratic party was—and it was reiterated everywhere—that the small volume of currency in this country could only be increased by the free coinage of silver; that the only means by which the volume and per capita supply of gold and silver money in this country could be increased was by the application of this principle of free and unlimited coinage of silver put into actual practice.

Then there was \$21.65 per capita in the United States—I do not hold myself responsible for the exact fraction of the dollar. To-day, with the great increase of population which the two full years and upward has produced, with the immigration that has come to our shores, and with all these considerations, we have

between \$24 and \$25 per capita for every man, woman, and child in the United States. Hard times never affect the growth of population. That went right on, and every young man who came either through the process of nature or by the ships that entered our harbors found himself interested as a member of the great commonwealth to the extent of \$24 and some cents of the best money in the world.

Mr. HENDERSON. The last statement shows that it is a little over \$25 per capita.

Mr. GROSVENOR. Yes, that is a fact; I remember seeing it myself—a little over \$25 per capita. And that reminds me that a man has got to be very careful if he wants to keep up with the mighty procession that is sweeping over this country to-day. A statement which is a glorious statement to-day will be left in the lurch to-morrow, and our friends must not reply to any argument on this question without posting themselves up to the last moment. Do not leave anything on the daybook, but look to the ledger. [Laughter.]

Now, I shall not elaborate upon this question except to say this: I have spoken of the agricultural products. I propose to show the splendid advance in value of them all, and the splendid growth of the market for them, which, after all, is a great consideration. But I will state in general terms that the growth of our development, our production of manufactured articles, is, in proportion to the conditions of 1896, more than keeping pace with the development, or quite equally keeping pace with the development, of the agricultural production. While our export has been in magnificent volume of agricultural products, nevertheless our exportation of manufactured goods is astonishing the world. We are selling 500,000 tons of pig iron in a single sale, and that is carried right under the very smoke of the chimneys of the furnaces of Glasgow and the great iron-manufacturing establishments of Europe.

Now, say the Democrats, what do you want of a protective tariff? You are not affected as you supposed you would be by the conditions which I am faintly undertaking to describe, for the common articles of necessity that the American people consume, that enter into the life of the ordinary American family, covering all the ordinary branches of life, have not advanced in anything like the ratio that wages and market prices of commodities have advanced. Our steel rails are girdling the continent of Europe; our locomotives are drawing great trains of cars over that magnificent domain of the Old World. The locomotive that came from Jaffa and startled the owls and the bats in the Mount of Olives bore upon it the legend of a Philadelphia manufacturing establishment.

And everywhere along the whole line of production we are seeking successfully and contending successfully in the markets of the world. Not that alone, but our great English rival—the country that hitherto has looked upon us as its greatest enemy in commerce and manufactures—recognizes to-day that we are the greatest manufacturing nation in the world. We have marched up and taken that position during the last two years; and to-day their desire to be friendly with us is, in my opinion, quite as much the result of their anxiety about equality of right and success in trade, in competition with their great German rival, as about anything growing out of any accord of blood, history, religion, or any other sentiment.

Can these facts be contradicted? If not, will somebody tell us how it happens—will some of our friends take the floor at the proper time and tell us—not start in on dead sheep in Australia—the people will laugh at that; not talk about famine in Russia, for the people have heard that—let gentlemen on the other side take all the exhibitions that will be made in connection with my remarks here, analyze them, and then tell the country how it happens that under their Administration, with both branches of Congress, they produced the condition in 1896 which I have faintly described, and how it is they find themselves to-day confronted with the magnificent conditions that I have imperfectly demonstrated.

Mr. Chairman, I ask unanimous consent to be permitted to add, as an appendix to the remarks I have made, tables of Dun, Bradstreet, and other commercial agencies in support of the declarations which I have made.

There was no objection.

I here present Dun's reports for the several years indicated:

[Dun's Review, January 5, 1895.]

Failures for 1894 are fully reported this week, being 13,885 in the United States and 1,356 in the Dominion of Canada. Liabilities in the United States were \$173,962,856 and in Canada \$17,616,215. Neither the decrease of over half in this country nor the increase of over 40 per cent in Canada is surprising, but the statement shows that most of the decrease in the United States is in manufacturing liabilities.

The complete review of different branches of business given to-day places in a clear light the fact that prices of commodities are at the lowest level ever known. Eight years ago, in July, prices averaged only 73.69 per cent of the prices for the same articles and in the same markets January 1, 1890, and this remained the lowest point ever touched until August 10, 1890, when the

average fell to 72.76, but early this year prices dropped below all previous records and have never recovered, the average December 30 being only 68.73 per cent of the prices in 1890. The range was very little higher at the end of the year and about as low October 25. The fall since a year ago has been 54 per cent, but very unequal in different branches—in iron and steel products 14 per cent, in wool 13.4 per cent, in woollens and cottons about 15 per cent.

[Dun's Review, January 4, 1896.]

The commercial failures during the complete year 1895 number 13,197. . . . The bright promise offered by a large decrease in the first quarter was followed by a small increase in the second and third quarters and a large increase in the last quarter of the year. . . .

In seven States the increase in manufacturing failures for the year was \$18,570,886, or 62.6 per cent.

[Dun's Review, January 2, 1897.]

There have been more commercial failures in 1896 than in any previous year except 1893; about 14,890, against 13,197 last year, with liabilities of about \$225,000,000, against \$173,196,000 last year, an increase in number of about 12 per cent and in liabilities of 29 per cent. . . .

The year closes with an epidemic of failures, mainly at the West and in banks, loan and trust companies, or concerns dependent on them.

Here is exhibited the rapidity with which daylight broke through the somber clouds of Democratic administration:

[Dun's Review, January 9, 1897.]

The year 1897 begins with one clear advantage; the past year has swept out of the way a great number of unsound concerns which in any time of activity would have been dangerous to business. Of the 15,236 commercial and banking failures in 1896, with liabilities of \$276,815,749, a large share represented crippling losses in previous years or the violence of speculative storms in 1896 or the first half of 1896, while thousands more resulted from the fury of the political tornado last fall.

Here the Review for January 1, 1898, shows the continuance and growth of that change:

[Dun's Review, January 1, 1898.]

Failures for the year which closed last night will be correctly reported next week, but have been smaller than in any other year since 1892, in number smaller than in any year except in 1895, and in average liabilities per failure smaller than in any other year during the last twenty-three except four. The aggregate of all failures, commercial and banking, was \$180,600,000.

A new year opens with conditions radically different from those which prevailed a year ago. Great financial distrust existed then, but has passed away. After a whole year of entire freedom from disturbance or alarm, in which the country has paid heavy foreign indebtedness, taken and paid many millions for stocks sent from abroad, and accumulated credits against other countries represented by merchandise balances more than \$30,000,000 in its favor for the past five months, with deferred exchanges for more than \$20,000,000 held by New York banks alone, while the great industries have been pushing their way into foreign markets with unprecedented success, the monetary situation is no longer a matter of anxiety. More than half a million men in a few States, according to official reports, are employed now who were idle a year ago, and the general advance in wages for those employed has gone far to restore the rates prevailing before the panic. The volume of business through clearing houses, for the week 14.2 per cent larger than in 1897, has for the month been 0.3 per cent larger than in that year, and in many industries and branches of business the later months of this year have surpassed all records.

[Dun's Review, January 8, 1898.]

In failures 1897 was not only the best year since 1892, but on the whole the best ever definitely known. With 13,622 failures, in number 11.5 per cent less than 1896, and \$182,581,771 defaulted liabilities, 34 per cent less than in 1896, the year's banking failures counted for \$28,249,700, and the commercial failures were but 13,351, with liabilities of \$154,332,071, the average per failure being only \$11,559, the lowest ever known except in 1892.

We now come to the close of the last year, and here I shall be more elaborate. I present Dun's Review:

[Dun's Review, December 31, 1898.]

Failures in the year 1898 have been 12,192 in number, with liabilities amounting to \$148,684,251 against \$182,581,771 in 1897, \$276,814,975 in 1896, \$192,903,270 in 1895, and \$198,658,891 in 1894. In this statement banking failures are included with liabilities of \$18,705,580 against \$28,249,700 last year and \$50,718,915 in 1896. The commercial failures were 12,112 in number and \$129,984,251 in amount against \$154,332,071 last year and \$226,066,080 in 1896. Manufacturing were \$56,761,622 against \$97,685,088 last year and \$98,463,851 in 1896, and trading were \$61,886,943 against \$74,499,908 last year and \$109,046,630 in 1896. The ratio of defaults to solvent payments is only \$1.89 against \$2.60 last year and \$4.37 in 1896. The number of failures, 1.06 per cent of the firms reported in business, though smaller than in any other year since 1892, is somewhat swelled by the multitude of small traders who start without adequate capital, so that the average liabilities per failure is smaller than in any other year of the twenty-four for which full records exist. The final record of the year can not be completed before it has ended, but tables next week will vary but slightly from this summary.

The year 1898 has not only been one of victory, of important increase in territory, and of incalculable expansion of the influence of the United States among other nations, but has surpassed all other years in financial and industrial results. The center of financial power has crossed the ocean. After paying debts of several hundred millions abroad, and conducting a war to an honorable end, the country is lending so many millions in Europe that for the first time banks abroad look to New York to dictate the rate of exchange. Exports have been about one billion two hundred and fifty million, and the excess over imports about six hundred and seventeen million, against three hundred and fifty-seven million in 1897, and in only two previous years has the balance risen to three hundred million. In no past calendar year have net imports of gold reached seventy-five million, but this year they have been about one hundred and forty million. November passed all previous months in value of produce exports over imports, but December has gone much beyond November.

Power in the world's markets comes with a demand for breadstuffs and other necessities never before equaled. Exports of cotton have been over 7,700,000 bales, about 3,996,000,000 pounds, and in no previous year as much as 7,000,000 bales, or 3,500,000,000 pounds. Exports of breadstuffs have been in value \$283,918,294 in eleven months, and have never been as large in any other year. Exports of wheat for the year, lacking a day or two, have been 218,594,666

bushels, flour included, slightly exceeded only by 225,635,812 in 1892, and of corn 200,979,077 bushels, only approached by 199,127,570 in 1897. The heaviest exports of both grains and flour in any previous year were 59,000,000 bushels smaller, only 360,220,513 in 1897. Though wheat was raised to \$1.91 in May, the highest quotation with the highest monthly average for thirty years, 153.23, so that the average for the first half year was 111.11, exceeded slightly in 1891, but the highest since 1893, the December average has been only 72 cents, 25 cents below that of last year, but the year's average, 93 cents, is the highest since 1881.

The triumph in finance has been largely due to industrial progress. The output of pig iron has been about 11,645,000 tons, the greatest yet reached in any year by 2,000,000 tons, and greater than Great Britain ever reached by 2,800,000 tons. Yet the consumption in manufacture has been still larger in spite of net exports of pig, in ten months 163,089 tons, for unsold stocks were reduced in eleven months 380,000 tons. Exports of iron manufactures in ten months were about \$87,644,536 in value, against imports of \$13,497,817. Prices shown for the year in the table of comparisons have been unusually steady, varying not 5 per cent for pig from the lowest to the highest, and for finished products not 6 per cent. The leather industry has also gained 10 per cent in exports in spite of high prices of hides, having been reduced in price about 31 per cent. Though hides are slightly higher, boots and shoes have been reduced over 2 per cent, and the output has been the largest ever known, with shipments from Boston 4,321,272 cases, 133,000, or 3 per cent, larger than in 1897, and 16.3 per cent larger than in 1892.

Textile industries have been retarded by high prices of wool and abnormally low prices of cotton, both deterring purchases. In three months cotton reached 5.31 cents, the lowest price for fifty years, the greatest yield ever known being followed by receipts since September 357,000 bales larger than last year. Exports have increased, but not as greatly. Toward the close recovery came with accounts of some destruction by storm, and the price reached 5.87 cents, giving a strong impulse to the manufacture, so that takings by Northern and Southern spinners in the calendar year have been 3,425,206 bales, a little greater than in any previous crop year. Goods were reduced in price 5 per cent to the middle of November, but have risen 7 per cent, and closed at the highest point for the year.

In spite of enormous stocks held, wool was so lifted that buying both of wool and of goods was checked early in the year, but slow decline began in February. Sales have been only 232,451,131 pounds at the three chief markets, so that the mills have probably used less than a full year's supply, and the stock of goods was also excessive a year ago.

Nobody can dispute the record of payments through clearing houses, which exceed 7,000 millions for the month and 68,500 for the year, 10 per cent more than in any previous year. The December report is, by 5 per cent, larger than any other month, November being nearest. Against all European influence the country is just now demanding gold, having taken one hundred and forty millions already this year. It is in position to demand more than all other markets together are prepared to pay.

[Dun's Review, December 31, 1893.]

RAILROAD EARNINGS.

Gross earnings of all roads in the United States reporting for the year to date are \$1,105,000,595, 7.1 per cent over last year. Roads reporting include all the large systems for the greater part of the year, and embrace a total of 152,153 miles, more than four-fifths the mileage of the country. The last preceding big year was in 1892, and then rates were on a much higher scale than this year, and the same volume of earnings represented a relatively smaller volume of tonnage. Earnings this year are 2.9 per cent over 1892. Below, earnings are given of roads classified by sections or different classes of traffic this year and last, with percentage of gain or loss this year compared with last and with 1892. The mileage included in each group is also given:

Roads.	Mileage.	1893.	1897.	Per cent of gain or loss, 1893, compared with—	
				1897.	1892.
Trunk lines.....	24,001	\$295,516,300	\$283,803,289	+ 3.4	- 1.1
Anthracite coal.....	5,221	107,543,202	103,471,094	+ 3.9	-12.2
Other Eastern.....	8,309	88,642,643	87,838,376	+ .9	+ 3.8
Central Western.....	12,363	84,424,145	77,366,248	+ 9.1	- 7.2
Granger.....	31,767	150,613,312	136,146,670	+10.6	+ 5.8
Southern.....	22,803	111,280,361	102,741,386	+ 8.3	-12.9
Southwestern.....	26,030	117,602,734	108,906,012	+ .8	+ 4.9
Pacific.....	21,659	151,407,898	131,457,412	+15.2	+ 7
United States.....	152,153	1,105,000,595	1,061,730,487	+ 7.1	+ 2.9
Canadian.....	6,568	25,060,363	23,218,341	+ 8.1	-15.2
Mexican.....	5,386	29,793,793	27,605,112	+ 7.8	-54.8
Total.....	164,107	1,159,893,720	1,082,553,940	+ 7.1	+ 4.1

All classes of roads report larger earnings than last year. Roads classified as "Other Eastern," mainly New England, report only a small gain. Earnings of trunk lines reporting are a trifle less than in 1892, but allowing for difference in rates traffic would show a large increase. Anthracite coal roads report a considerable loss in earnings compared with 1892. All other classes of roads report larger earnings. In the following table earnings of United States roads reporting by quarters are given, with percentage of gain or loss this year compared with last and with 1892. Earnings for several roads reporting yearly and half yearly included in the yearly statement are not included in the quarterly statements.

	1893.	1897.	Per cent of gain or loss, 1893, compared with—	
			1897.	1892.
First quarter.....	\$262,302,418	\$232,157,899	+13	+5.3
Second quarter.....	271,221,340	246,600,495	+10	+4.3
Third quarter.....	311,115,778	304,564,538	+ 2.1	- 1
Fourth quarter.....	235,505,059	224,924,575	+ 4.7	+7.8

Classified according to sections or different classes, the traffic earnings of roads reporting by quarters are given below. Complete returns are given for the third quarter, but for the fourth quarter only partial reports are in-

cluded. The figures this year are printed with percentages, showing comparison between this year and 1892:

	Third quarter.		Fourth quarter.	
	1893.	Per cent of gain or loss, 1893, compared with—	1893.	Per cent of gain or loss, 1893, compared with—
		1897.		1892.
Trunk lines.....	\$75,750,890	-2.2	\$61,993,067	+ 1
Anthracite coal.....	32,631,939	+2.5	21,623,487	+ 1.3
Other Eastern.....	33,073,795	+2.6	7,071,639	+ 1
Central Western.....	22,850,183	-7.5	19,337,050	+ 2
Grangers.....	43,364,674	+3.7	34,455,335	+ 8.4
Southern.....	30,201,177	+5.9	25,579,118	+ 6.7
Southwestern.....	30,532,070	+ 1	30,160,930	+ 4.3
Pacific.....	42,711,050	+4.3	35,383,833	+13.2
United States.....	311,115,778	+2.1	235,505,059	+ 4.7
Canadian.....	6,658,614	+ 1	6,844,730	- 1
Mexican.....	7,609,570	+7.4	6,948,520	+14.3
Total.....	325,383,962	+2.2	240,298,300	+ 4.8

United States roads reporting for the three weeks of December show gross earnings of \$22,935,000, 3.8 per cent over last year, and eight-tenths of 1 per cent over 1892. Below earnings of all United States roads reporting for the last four weeks are compared with last year:

	1893.	1897.	Per cent.
80 roads, first week December.....	\$7,890,725	\$7,548,585	+4.5
77 roads, second week December.....	7,543,007	7,515,828	+ .4
72 roads, third week December.....	7,492,877	7,025,735	+6.6

In the following table earnings are classified according to location of roads or chief class of traffic; figures this year and last are given, with gain or loss, and percentage showing gain or loss compared with last year and with 1892:

	December.		Gain or loss.	Per cent of gain or loss, 1893, compared with—	
	1893.	1897.		1897.	1892.
Trunk.....	\$3,375,194	\$3,450,021	*\$74,827	- 2.2	- 4.5
Other Eastern.....	528,113	522,017	+6,096	+ 1.2	+ 5.1
Central Western.....	2,874,471	2,800,339	+14,132	+ .5	- 2.8
Grangers.....	3,268,682	2,741,684	+526,998	+10.2	- 1
Southern.....	5,548,769	5,551,457	*2,688	- .1	+ 6.5
Southwestern.....	4,884,303	4,712,853	+171,450	+ 3.6	+ 4
Pacific.....	2,446,987	2,251,777	+195,210	+ 8.0	+ 7.4
United States.....	22,935,000	22,090,148	+844,852	+ 3.8	+ .8
Canadian.....	1,707,000	1,623,000	+84,000	+12.1	+33.5
Mexican.....	1,635,367	1,420,448	+214,919	+15.1	+72.6
Total.....	26,268,976	25,033,596	+1,235,380	+ 4.9	+ 6.6

* Loss.

† Gain.

Earnings of United States roads reporting by months are given below. The statement includes nearly all roads reporting in the yearly and quarterly statements. The figures this year and last are given with percentages, this year compared with last, and with 1892:

Month.	1893.	1897.	Per cent of gain or loss, 1893, compared with—	
			1897.	1892.
January.....	\$78,551,747	\$68,650,097	+13	+8.7
February.....	75,856,289	67,323,558	+12.7	+2.5
March.....	83,288,548	73,324,315	+13.6	+6.8
April.....	79,894,542	69,430,383	+15.1	+7
May.....	84,960,912	74,089,521	+14.7	+8.4
June.....	80,209,046	75,898,369	+ 5.7	- 2
July.....	83,384,531	80,051,825	+ 4.2	-4.6
August.....	93,738,730	90,103,105	+ 4.1	-2.8
September.....	96,739,355	96,776,845	+ 2	+1.3
October.....	107,698,144	108,032,165	+ 4.5	+5.7
November.....	93,784,191	89,229,304	+ 5.1	+9.2
December.....	22,935,000	22,090,148	+ 3.8	+ .8

I copy the headlines of the Washington Post, and a statement of Bradstreet and Dun:

TRADE IS FLOURISHING—EXPORTS, ESPECIALLY IN CEREALS, AWAY UP IN FIGURES—STEEL AND IRON IN GREAT DEMAND—ORDERS FOR FINISHED PRODUCTS SO HEAVY AS TO HAVE CAUSED ADVANCE IN PRICES AT BOTH EAST AND WEST—PRICES FOR RAW COTTON STEADY, STRENGTH MAINTAINED IN PRINT CLOTHS, AND SLIGHT ADVANCE IN OTHER MAKES—DECEMBER BANK CLEARINGS.

NEW YORK, January 6, 1899.

Bradstreet's to-morrow will say:
"The situation is one of quiet, sustained strength. In wholesale distributive trade annual inventories have occupied attention, and distribution in this branch is therefore of only seasonable proportions. Retail trade reflects

years, as reported to Bradstreet's (with assets and liabilities given in millions and tenths of millions of dollars), is as follows:

Year.	Number of failures.	Per cent increase or decrease.	Actual assets.	Total liabilities.	Per cent of assets to liabilities.
1898.....	11,638	-11.2	72.9	141.1	52.1
1897.....	13,099	-13.3	85.6	156.1	54.4
1896.....	15,112	+16.1	146.2	247	59.9
1895.....	13,013	+2.2	88.1	158.8	55.4
1894.....	12,721	-18.3	79.7	149.5	53
1893.....	15,590	+51.5	232.4	402.4	57
1892.....	10,270	-17.1	54.7	108.5	50
1891.....	12,304	+16.2	102.8	198.1	52
1890.....	10,673	-9	92.7	175	53
1889.....	11,719	+10.7	70.5	140.7	50
1888.....	10,587	+9.7	61.9	120.2	52
1887.....	9,740	-7.8	64.6	130.6	50
1886.....	10,568	-4.9	55.8	113.6	49
1885.....	11,116	-44	55.2	119.1	46
1884.....	11,030	+13	104.6	248.7	54
1883.....	10,299	-94	90.8	175.9	52
1882.....	7,636	-28	47.4	93.2	51
1881.....	5,929	.....	35.9	76	47

From the above table and percentages it will be readily gathered that the year 1898 is the best one as regards business failures and liabilities involved that the business world has experienced since 1892, and, with the exception noted, the year just closing shows the smallest liabilities there is any record of since 1890, eight years ago. Another feature calling for mention also is the fact that the percentage of assets to liabilities, which in panic years is very large, is now assuming a nearly normal character, the percentage for this year being only 52.1 per cent, against 54.4 per cent in 1897, nearly 60 per cent in 1890, and 65 per cent in 1893. It is necessary, in fact, to go back to 1892 and 1889 to find smaller percentages of assets to liabilities involved.

BUSINESS DEATH RATE.

What might be called the annual death rate in business finds illustration in the following table, which gives the number of concerns in business in 1898, the number failing, and the percentage of the total number in business suspending during the year:

Year.	Number in business.	Number failing.	Per cent failing.
1898.....	1,093,000	11,638	1.06
1897.....	1,086,000	13,099	1.20
1896.....	1,080,000	15,112	1.40
1895.....	1,064,000	13,013	1.23
1894.....	1,047,000	12,721	1.21
1893.....	1,050,000	15,590	1.50
1892.....	1,035,000	10,270	1
1891.....	1,010,000	12,304	1.22
1890.....	989,000	10,673	1.07
1889.....	978,000	11,719	1.20
1888.....	965,000	10,587	1.10
1887.....	963,000	9,740	1.04
1886.....	920,000	10,568	1.15
1885.....	890,000	11,116	1.25
1884.....	875,000	11,030	1.26
1883.....	855,000	10,299	1.20
1882.....	820,000	7,636	.93
1881.....	780,000	5,929	.76
1880.....	735,000	4,350	.60
1879.....	705,000	6,652	.94

A complete table of failures, by States and groups of States, is also given, but it is sufficient here to give the totals of Ohio and surrounding States and some other important ones, as follows:

States.	Number of failures.		Assets.		Liabilities.	
	1898.	1897.	1898.	1897.	1898.	1897.
New York.....	1,535	1,064	\$21,777,077	\$13,094,146	\$41,106,629	\$29,063,742
Pennsylvania.....	1,400	1,182	8,143,336	8,761,378	16,623,644	15,558,731
Ohio.....	592	700	4,091,059	4,318,412	6,173,964	6,867,347
Indiana.....	90	184	455,417	2,257,028	740,061	3,553,913
Illinois.....	626	623	3,836,757	6,077,248	7,030,509	9,592,759
Missouri.....	631	644	1,430,930	3,188,065	2,817,322	5,001,067
Michigan.....	290	385	1,473,043	1,978,027	2,567,916	3,429,100
Kentucky.....	143	227	841,806	1,541,671	1,274,968	2,952,194
West Virginia.....	76	87	499,600	329,750	608,017	627,100

In New York City alone the failures were 756, against 797 in 1897; assets were in 1898 \$17,658,196, and in 1897 \$3,125,442; liabilities were in 1898 \$32,395,990, and in 1897 \$19,486,465.

REVIEW OF THE COTTON SEASON—LARGE INCREASE IN THE TOTAL NUMBER OF BALES AND AN ACCOMPANYING DECREASE IN THE PRICES—GREATER CONSUMPTION DURING THE YEAR AND OPERATIONS MORE SATISFACTORY SOUTH THAN NORTH.

In the last edition of the Cotton Facts, by A. B. Shepperson, a thorough and comprehensive review of the cotton season of 1897-98 is given, together with a prospective view of the season of 1898-99. The review is generally accepted as one of the most reliable sets of statistics in regard to the cotton market that are obtainable, and the following is reproduced from the review of the season just issued:

The commercial crop of cotton for the season of 1897-98 was 11,215,963 bales, averaging 607 pounds (gross weight) per bale, against a crop of 8,705,802 bales, averaging 502 pounds per bale (gross weight) for the previous season.

The range of fluctuations in the price of middling cotton in New York

during the season was 2½ cents, against 1½ cents in 1896-97, 2½ cents in 1895-96, 2½ cents in 1894-95, 1½ cents in 1893-94, and 2½ cents in 1892-93.

The average price of middling upland cotton in New York for the season was about 6½ cents per pound, being 1½ cents less than the previous season.

The highest quotations for the season for middling uplands were 7½ cents in New York on September 1, and 4½ pence in Liverpool on September 2, while the lowest prices were 5½ cents in New York on August 22, and 5½ pence in Liverpool on December 10.

Mr. Thomas Ellison, of Liverpool, estimates British consumption for the season ending September 30 as 3,380,000 bales of 500 pounds net, being 150,000 bales more than the previous season, and continental consumption as 4,570,000 bales of 500 pounds net (exclusive of about 250,000 bales of Asiatic cotton spun in Russia), being 206,000 bales more than the previous season.

United States consumption for season ending August 31 I estimate as 2,922,000 bales of 500 pounds net, being 205,000 bales more than last season. I think the Northern mills consumed about 205,000 bales more.

LARGER STOCKS.

The takings of the American spinners from the crop were 3,465,000 (running) bales, exclusive of 114,000 bales sent to Canada; but the stocks of cotton held by the Northern mills at the end of the season were probably 875,000 bales more than at its commencement, and by Southern mills 67,000 bales more, making a total increase in the United States mill stocks of 412,000 bales.

In the takings and consumption of American mills no account has been taken of Egyptian and Peruvian cotton. The imports during the season have been 63,357 bales Egyptian and 20,608 bales Peruvian.

The Peruvian cotton has been used, as heretofore, entirely in the manufacture of (so-called) all-wool goods.

In our exports of cotton during the season were 36,429 bales to Mexico, 211,104 bales to Japan, 13,503 bales to China, and 300 bales to India. The exports of the previous season to Mexico were 30,290 bales, and to Japan 61,456 bales.

The takings of cotton for the season by spinners of the United States were 678,000 bales more than in 1896-97; 960,000 bales more than in 1895-96; 594,000 bales more than in 1894-95; 1,174,000 bales more than in 1893-94. European spinners have taken 638,000 bales more than in 1896-97; 1,011,000 bales more than in 1895-96; 923,000 bales more than in 1894-95; 849,000 bales more than in 1893-94.

The cotton-consuming countries of the world from which reliable statistics are obtainable have consumed 710,000 bales (of 500 pounds net) more than during the previous season, Europe showing an increase of 384,000 bales, the United States an increase of 205,000 bales, and India an increase of 141,000 bales.

The stocks of cotton at the British mills on September 30 are estimated by Mr. Thomas Ellison, of Liverpool, as 168,000 bales (of 500 pounds net), being 77,000 bales more than on September 30, 1897, and at the continental mills 456,000 bales, being 310,000 bales more than on the same date in 1897.

The number of spindles in operation in Great Britain is estimated as the same as the previous season, while there was an increase of 1,000,000 spindles on the Continent, and 300,000 in the United States, the increase in this country being in the Southern States.

ADVERSE CONDITIONS IN NEW ENGLAND.

For the New England mills the season has been unsatisfactory, resulting in reduction in wages and in many suspensions of work from strikes of operatives, as well as from the voluntary closing of mills temporarily, in order to curtail the production and thus diminish the stocks of goods.

The mills in the South have done fairly well. That they can and do manufacture all low grades and some of the medium grades of goods and yarns cheaper than the Northern mills is true beyond any kind of question. Very few of the Southern mills suspended work during the season, and some of them worked at night as well as in the day. While the consumption of cotton by the Northern mills was practically the same as the previous season, the consumption of the Southern mills increased nearly 23 per cent.

Cotton goods have never been so low in the country. The chief cause of the low prices was the weight upon the markets of the immense accumulation of stocks of nearly every description of domestic cotton goods. The large stocks were due to the fact that the capacity of our cotton mills has increased so much faster than our population that the home demand is not equal to the production and that we have practically no foreign outlet for our surplus of goods and yarns.

During the year ending June 30 we exported 270,507,819 yards cotton goods, against 313,533,044 yards for previous fiscal year, a falling off in quantity of 14 per cent. The value of our exports of cotton manufactures of all kinds for year ending June 30 was \$17,024,092 (including \$23,573 to Cuba, \$3,884 to Porto Rico, \$361,379 to Hawaii, and \$1,304 to the Philippines), against \$21,037,678 the previous year, showing a falling off of 20 per cent. Great Britain's exports of cotton goods and yarns for year ending August 31 were equal to 6,813,140,500 yards of goods, valued at \$272,186,080.

Though we furnish about 80 per cent of the cotton used by the cotton mills of the world, the quantity of our exports of cotton manufactures is only 4½ per cent of those of Great Britain.

The effect of our high tariff is to deprive us of export trade in cotton manufactures except for a limited quantity of goods, chiefly those in which cotton itself contributes the largest proportion of the cost.

LET DOWN TARIFF BARS.

The duty on machinery makes it cost 50 per cent more than for a similar mill in England, thus requiring a larger capitalization and greater profits in order to pay dividends on the larger capital. Our mills are thus handicapped at the outset, but the duties on chemicals, acids, dyes, and everything which enters into the manufacture of bleached, colored, or printed goods, prevent our competing successfully with England even for the trade of such near-by countries as Mexico, the West Indies, Central and South America. If the tariff bars were let down, so that the cost of the machinery to equip our mills and the cost of all the foreign articles needed for the various processes of manufacture should be no greater than in England, then our Northern and Southern mills alike would be able to build up a large foreign trade. There would be no overproduction, with the inevitable result of reductions in the prices of goods and the wages of operatives, and our cotton-manufacturing industry would increase and prosper as never before.

The price of cotton goods and yarns is fixed by those who can produce them cheapest. The Southern mills can manufacture so large a proportion of them at less cost than the Northern mills that they not only control the market for all kinds they make, but largely regulate the prices of all staple manufactures of cotton, as the higher grades are usually in sympathy with the medium and lower qualities, such as are made at the South, and which are nearly always the first to advance or decline.

There is a wide range of opinion respecting the size of the American cotton crop now being marketed, estimates being all the way from 10,000,000 to over 12,000,000 bales. The most current estimates are for 11,000,000 to 11,500,000 bales.

To October 1 the prospects of the crop were somewhat better than at the same time in 1897. Since October 1 the weather has not been as favorable as last season, as killing frosts were unusually early.

EFFECT OF FROSTS.

Inasmuch as killing frosts check all further growth and development except of the bolls which are nearly matured, I think it will be realized later on that the crop was considerably curtailed by the frosts, just as it is now perfectly evident that those frosts, with the subsequent frosts and rains, will give the crop a larger proportion of stained and low-grade cotton than usual, and a very much larger proportion than last year. My advice indicates a larger crop than last year west of the Mississippi River if all is gathered, but losses elsewhere, which may make the entire crop no more than last season, if as much, and with much lower spinning qualities.

As the low prices required a larger quantity of cotton than usual to be shipped to pay the farmers' debts, and as a great many people rush their cotton to market when prices are low for fear that they may fall still lower, the large receipts to this time are not a safe criterion by which to judge of the size of the crop.

The Egyptian crop promises to be less than last season by the equivalent of about 100,000 bales of 500 pounds net.

It is estimated that fully 9,900,000 bales of American cotton were actually consumed last season by the mills of the United States, Europe, Canada, Japan, and Mexico.

There is now every probability that the American and foreign mills will increase their consumption over last season fully as much as the consumption of that season exceeded the previous one, and perhaps more. This would mean the consumption this season of 10,000,000 bales of American cotton, and the shortage of the Egyptian crop may increase the figures to 10,700,000 bales.

During this month middling cotton declined in New York to 5½ cents, being one-fourth of a cent below the lowest price of the season of 1894-95, and lower than at any time since 1848. This price is equivalent to about 4½ cents at interior points in the South. The cost of production on well-managed farms last season was about 5½ cents per pound if the yield was half a bale to the acre, and of course more when the yield was less. The yield will not average anything like as much as this, nor will the quality average middling.

PROOF OF PROSPERITY SHOWN BY THE NEW YORK LIFE INSURANCE COMPANY'S ANNUAL STATEMENT.

[Special dispatch to the Enquirer.]

NEW YORK, January 1, 1899.

The year closed with business booming. The Bureau of Statistics at Washington figures the country's excess of exports over imports for 1898 at \$11,000,000, and these figures tell the whole story. Everybody believes a still further enlargement of foreign and domestic trade is in store for 1899.

This morning the New York Life Insurance Company reports its year's work, and of all the companies is the first to publish its statement. The result surprises the oldest insurance men and furnishes fresh proof of the business revival of 1898.

President John A. McCall, of the New York Life, states that his company in 1898 has been paid for more than \$152,000,000 in new insurance, an increase of more than \$15,000,000 over 1897, and has now a total of policies in force exceeding \$945,000,000, being a gain during the year of \$67,000,000. The average mind can scarcely grasp the significance of these figures, which denote a larger gain in this one company alone than was shown in the previous year by all the other regular life-insurance companies of this State combined, and is an unparalleled record.

While this record is strikingly exceptional, gains in somewhat the same proportion have been made by the banks and the large commercial houses.

It is interesting to note from President McCall's report that Ohio has been one of the leaders in this tremendous increase in the company's business.

REVIEW OF THE TRADE SITUATION IN THE NEW SOUTH CONTAINS SOME PLEASING FACTS—THE GREAT RESOURCES OF WEALTH ARE BEING DEVELOPED—MANUFACTURING INDUSTRIES SPRINGING UP EVERYWHERE—NEW RAILROADS ARE BEING CONSTRUCTED AND THE SOUTHERN DOOR OF COMMERCE IS OPEN TO THE WORLD.

The Manufacturers' Record reviews the condition in the South as follows: "Looking forward in deep-seated faith and glancing behind at the reasons for that faith, the South may congratulate itself upon its achievements in 1898 and upon the promise of its good fortune in 1899. The past year, to be sure, has not been one free from drawbacks for some interests. Commerce of the Gulf and South Atlantic was interrupted seriously by six months of hostilities centered in the Spanish possessions in the West Indies. The great body of cotton growers have felt the ill effects of being obliged to sell their staple, in many instances, below the cost of production, but these ailments have not been entirely without their compensations.

The immense gain in the corn crop, the increase of which in the South has presented an absolute decrease in the whole country; the wealth derived from the sale of strawberries, potatoes, peaches, and other early products, and the impetus given by the cotton situation to the diversification of farming operations, in which true prosperity for the Southern husbandman lies, must be considered in balancing the agricultural accounts. The results of the war, the stimulation of trade throughout Southern ports with Cuba and the other islands, are overcoming already the temporary embarrassment of the spring and early summer. A broad view of the industrial evolutions may be had in the following table, detailing the industries begun or completed during the year:

Telephone systems	119
Machine shops and foundries	34
Stove foundries	7
Fertilizer and phosphate works	13
Miscellaneous iron and steel plants	23
Woodworking factories	304
Furniture factories	20
Vehicle factories	15
Agricultural implement works	8
Mining and quarrying companies	206
Textile mills	28
Flour mills	127
Cotton compresses	30
Cotton-seed-oil mills	48
Brick works	22
Canneries	41
Ice and cold storage plants	90
Electric light and power plants	69
Gas works	9
Waterworks	43
Miscellaneous	1,716
Total	3,007

Of these 3,007 new undertakings the greatest attention, probably, has been attracted to the steel plants in the Birmingham district, though the active operation of the older plant at Middlesboro, Ky., built several years ago, but only lately put into operation, has not been the least notable gain. Alabama's iron production has increased, probably, 25 per cent, and the foreign shipments of pig have been at the rate of about 1,000 tons a day during the past four or five months. Southern ports, such as New Orleans, Norfolk, Baltimore, Pensacola, Brunswick, and Mobile, securing the bulk of the exports.

There is the million-dollar plant of the Alabama Steel and Shipbuilding Company, at Ensley City, with the natural ally at the same place, the two-million-dollar wire, rod, and nail mill. To the same neighborhood will come a half-million-dollar plant of the Addyston Pipe and Steel Company and divers other industries, the whole representing investments of more than \$5,000,000, principally from the North and West. That these investments are none too early is demonstrated by the demand for new vessels for the American merchant marine and for the Navy, and by orders amounting to 500,000 tons of steel for abroad, of which a Southern concern at Sparrow's Point, Md., has just secured 60,000 tons. The companion of pig iron and steel in their journey across the ocean to Japan, China, and the South Seas is cotton in bales. There are, though, indications that the trade with the Orient in manufactured textiles, which Southern mills share, is to increase largely. To gain this the Southern mills are equipping themselves.

The additional spindles announced during the year number 331,560, and the looms 5,880, the expenditures for these items aggregating \$5,000,000, to which should be added about \$200,000 invested in woolen mills. In spite of the sympathetic depression in the cotton-seed oil trade, men who trust in the future have not hesitated to place money in that line, and more than \$800,000 has gone into new mills or into improvements of old ones. Seven developments of water power for electrical purposes have been projected, the most noteworthy, perhaps, being those at Richmond, Va.; in the Yadkin River, near Winston, N. C., and in the Chattahoochee River, in Georgia.

"The most significant additions, however, to the field of Southern industries are the smaller undertakings, such as furniture, vehicle, and fertilizer factories, saw and planing mills, agricultural-implement works, stove foundries, flour mills, brick works, canneries, ice plants, and the miscellaneous factories.

"This adaptation to changing conditions, like the diversification in farming operations, is due largely to the enterprise of railroad companies in making new links in systems already established or in building new lines. With a great West and South line, the Kansas City, Pittsburg and Gulf, completed, and with a four-million-dollar addition to the Mobile and Ohio, a Northwest and Southwest line well under way, the South at the beginning of the year entered upon the work of more railroad construction and has the record of more than 1,000 additional miles of tracks, with an equal, if not a greater, number under contract for the coming year."

A short while since the Manufacturers' Record addressed letters to presidents, passenger and freight agents, and others closely identified with the details of railroad work, and eminently qualified to express judgment upon the manifestations. In reply, a number of letters have been received, and extracts from them are as follows:

W. W. Finley, second vice-president Southern Railway Company, Washington, D. C.:

"The iron industry is generally considered a fair index to business. With its decline business becomes slack; with its prosperity all other lines of industry invariably respond promptly. The fact that the pig-iron furnaces of Alabama, Tennessee, Kentucky, and Virginia are running to their full capacity, with orders so far ahead that they do not seem warranted in even stopping for usual repairs, demonstrates that the South is at the height of prosperity, and that it is the section to which men desiring to engage in almost any line of business can do so with reasonable assurance of success, providing they bring knowledge and energy into the venture. From an industrial and commercial standpoint, the entire territory tributary to the Southern Railway shows a marked increase generally. It is safely predicted that the number of industrial enterprises will be increased and many of those already established enlarged, and that the commerce of the South promises well for those engaged therein."

F. A. Hornbeck, land commissioner Kansas City, Pittsburg and Gulf Railroad Company, Kansas City, Mo.:

"In western Arkansas and Louisiana and eastern Texas the past two years have witnessed a general increase in values and marvelous development in manufacturing and in trade consequent to the building of the Kansas City, Pittsburg and Gulf Railroad through the territory described. The farmers of this district—immigrants from the North, as well as residents of long standing—have realized that while cotton has its uses to the farmer as a farming product, at the same time diversified farming is the solution of his problem in life."

Col. J. B. Killebrew, immigration agent Nashville, Chattanooga and St. Louis Railway, Nashville, Tenn.:

"Every railroad in the South enjoys an unusual prosperity. The price of iron was long considered the best barometer of trade. When the price of iron was high, trade was good; and when the price fell, trade fell with it, but in more recent years a better barometer is the conditions of the railroads of the country. Whenever and wherever the railroads are prosperous the country through which they pass is prosperous also, and vice versa."

M. E. Ingalls, president of the Chesapeake and Ohio Railway Company, Cincinnati, Ohio:

"I can not speak as to the remote South, but the Southern territory which the Chesapeake and Ohio Railway serves, to wit, Kentucky, West Virginia, and Virginia, is very prosperous to-day, and the outlook for the future seems to me to be good. Kentucky in 1898 raised good crops, all of which are finding a ready sale. Wheat, corn, and stock bring good prices. West Virginia is the richest land in the world, in my judgment, in coal, and its future depends entirely upon its development. There seems to be a demand for it East and West to-day greater than the transportation companies can fill. I look to see this demand increase rather than diminish. In old Virginia there seems to be an improvement all along our lines. The manufacturers are making money, and people are beginning to realize that it is one of the best States in the Union for manufacturing—a beautiful climate, the cheapest and best labor in the world, and moderate taxes. The developments there in the future will be very great."

Leroy Springs, president of the Lancaster and Chester Railway, Chester, S. C.:

"I think the general industrial and business situation of the South is in a healthy state, and the outlook for the future is very promising. The present low price of cotton seems to have been a blessing in disguise, as the farmers are learning to cultivate their lands better, using more fertilizers and producing more to the acre. They are also educating themselves to make all their supplies at home."

George C. Smith, president and general manager Atlanta and West Point Railroad and the Western Railway of Alabama, Atlanta, Ga.:

"Our section of country is rich in resources and settled with a progressive and industrious people, who will give a good account of themselves, no matter what the price of cotton may be this season or next."

M. V. Richards, land and industrial agent of the Southern Railway, Washington, D. C.:

"Permit the following analysis of the situation, viz: The South has, first, excellent credit; second, splendid crops; third, prosperous factories; fourth, growing trade; fifth, abundant natural resources; sixth, a contented people, and, by reason thereof, its industrial and commercial affairs occupy a conspicuous and enviable position."

A. E. Stillwell, president of the Kansas City, Pittsburg and Gulf Railroad Company, New York, N. Y.:

"I have not time to give you a lengthy article in regard to prospects for business in the South, but can only say that our Southern business is increasing materially, and prospects are very encouraging for the coming year."

CENTER OF FINANCIAL POWER RAPIDLY SHIFTING TO THIS SIDE OF THE ATLANTIC—PHENOMENAL RECORD MADE BY THE UNITED STATES IN THE VOLUME OF BUSINESS TRANSACTED THE PAST YEAR—NEW ERA OF PROSPERITY, WHOSE BENEFITS SEEM TO BE WIDESPREAD AND LASTING.

[Copyright Philadelphia Press, 1898. Special dispatch to the Enquirer.]

NEW YORK, December 30, 1898.

The business year, so far as the exchanges are concerned, ended this afternoon at 3 o'clock. It is well within bounds to say of it that not within the memory of any of those who do business on the exchanges, or who are in touch with the clearing house, has there been any such experience as that which ends, so far as the calendar is concerned, to-day. Not even in the two or three busy years which followed the resumption of specie payments was there such good cause for rejoicing as exists to-day. In fact, in 1880 and 1881 and 1882, while activity was apparently as great as it has been this year, and while we imported large quantities of gold, yet after all we were doing the greater part of our business upon borrowed capital. Even the gold which came in those years represented, to a considerable extent, loans that had been made in Europe principally for the extension of the railway systems that in four or five years so thoroughly opened up the greater part of the wheat belt of the West and the other belt of the Northwest.

We were borrowing in that era, and we have been engaged in paying off these loans ever since. This year we are able to celebrate a condition which represents a changed relation—that of creditor. We do not owe Europe anywhere near as much as Europe owes us. Our quickly built railways have been for the most part paid for and reorganized upon a sound business basis, and although Europe owns large interests in some of these roads, yet it is now believed that the most of these investments are made for the sake of the permanent income that they bring rather than for any speculative opportunities they offer.

If the condition which gives the chief cause for congratulation at the opening of the new year could be tersely expressed it would probably be said of it that it is a condition which the possession of our capital in an amount more than sufficient for our own needs forcibly suggests. All of the great activity of the year, the momentous clearances of the clearing house, the condition of our national banks rivaling, perhaps even surpassing, the strength of the Federal Treasury, and the amazing story which the ships that have gone out of our harbor during the year have told of foreign export—all of these after all lead to the single statement that we have greatly increased our home capital, so greatly that it is now believed to be far more than enough for our own needs and must speedily be so invested as to make us permanent creditors of other nations. When that time comes then we shall have reached the position as sure to be gained, the financial center of the world.

EVIDENCE OF PROSPERITY.

Herein is the central thought which a study of the experiences of the year just ending brings to every one in this city who is competent to investigate and accurately to measure the influences that have prevailed and the results which will flow from them. It is observed, too, that in this increase of wealth almost every one who has contributed something to it has received back again a fair share of it. In other words, the community is richer individually as well as collectively. The increase in the deposits of the savings banks tells a fine story of the share the artisan and the skilled mechanic have had in this increased wealth, and the recently observed tendency of those of moderate income and small savings to buy real estate in the suburbs furnishes also another proof of this prosperity which all who deserve to share it have in some measure shared.

There is, however, another indication of increase of wealth illustrative also of a new tendency. Whether it is because there is disposition to follow the example set by the people of wealth in Great Britain, who are said to live for the greater part of the year in the country, or whether it is a disposition which is due to the happy experience which those who possess country homes have enjoyed, the fact remains that never before has there been so great a tendency on the part of those having country homes to remain in them until after the holiday season, and, on the part of those who do not possess them, to buy them, as has been noticed this year. The managers of hotels and apartment houses have been surprised that those to whom in years past they have rented apartments for the winter season are not disposed now to take these rooms until after the 1st of January, and then only for three or four months.

The demand for country property which is within convenient distance of the city is very great, and may be illustrated perhaps by the purpose of young William Rockefeller and of his brother-in-law, Dr. McAlpin, to build country villas within 30 miles of New York, and to live in these villas the greater part of the year.

Even those who are not able to spend large sums of money in building and fitting up luxurious homes are nevertheless more and more going from the city into the neighboring suburbs. It is the opinion of those qualified to judge that within the next four or five years we shall see a large development of the suburbs, a development which will be quickened when rapid-transit facilities are increased and when the proposed suspension bridges are built over the East River.

INCREASE IN LOCAL TRAFFIC.

When the Grand Central Station was completed in 1871, Commodore Vanderbilt said of it that it would be sufficient for all of the railway needs of the city for fifty years. Twenty years had not passed by before it was found to be entirely inadequate for the railway traffic which passes through it, and it has been found necessary to build an annex, serving as an exit station, and greatly to enlarge the original building, and within a year or two these improvements will be more than surpassed by changes which, it is expected, will make in the station the largest waiting room in the country, surpassing in size that of the new Union Station in Boston and also that recently completed in St. Louis. It is not increase in railway travel to distant points which has made these enlargements necessary, but simply the increase in local or suburban traffic.

That was something that Commodore Vanderbilt, looking away from New York City toward Chicago and the far Northwest, entirely forgot. His mind

was absorbed in creating a single system which would gain a fair share of the enormous traffic which the development of the West and the Northwest would give. His successors, however, learned that in proportion to the expense involved there were far greater returns, much richer profits, in local service, the daily carrying back and forth between the suburbs and the city of those who do business here, than was to be found in the long-distance and highly competitive traffic with the West and the Northwest.

Another thing the Commodore's successors discovered was that this daily traffic of commuters meant the payment of large sums of money in advance every month. One of the roads running out of the Grand Central Station receives considerably over \$100,000 each month from the commuters on the first day of the month; that is, it is paid in advance, and the company has the use of the money for a month, whereas the payment for the freight traffic from the West sometimes runs a month or more behind the completion of the service.

These are some of the incidental illustrations of the bounty of the year which is now ending, a bounty which there is every reason to believe will be continued throughout another year, and they explain why it is that the greetings and congratulations of the season are more cordial and happier than they have been at any time within the memory of the present generation.

HOLLAND.

Here are statements from the Cincinnati Commercial-Tribune:

FINANCE AND TRADE.

The figures for the year's trade could not be given in the limited space at command of a single newspaper. Nor is there any need for it. It is sufficient to say that all of the statistics for the year are of a nature most roseate. Ninety-eight goes out in a blaze of prosperity and '99 comes in to take up the good work, let us hope, and improve it if possible.

The transactions of the New York Clearing House are accepted as a fair criterion of business conditions all over the country. Upon the face of matters the clearings are not the largest in history, but only because new methods make the clearing show less than they did in 1881 and 1882. These years hold the record. In 1881 the clearings amounted to \$49,000,000,000. In 1882 they fell just a little short of \$50,000,000,000. This year they are about \$42,000,000,000.

Mr. Gilpin, the assistant manager of the clearing house, explains the difference to the correspondent of the Public Ledger:

"In 1881 and 1882 the Stock Exchange had not the stock-clearance system, and every share of stock bought and sold was represented by a check that passed through the Bank Clearing House. Now the Exchange has a stock-clearance system, which greatly reduces the Wall street demands on the resources of the banks. It is estimated that the stock-clearance system has made a difference this year of \$3,000,000,000 in the total exchanges of the Bank Clearing House. In other words, he estimates that putting both years on the same basis of comparison, the total bank clearances this year would be \$50,000,000,000, against \$49,000,000,000 in 1881. Thus this year is really greater than that of 1881."

It is safe to say, then, that this has been a record-breaking year, in this particular at least.

To test the matter with another barometer we have but to turn to the records of the iron and steel business. When we contemplate the figures we marvel at the nation's greatness. The output of pig iron is but little less than 12,000,000 tons for the year, by far the greatest in our history, and still more marvelous, about 20 per cent more than England, the iron country, has ever produced in any year of her many years of commercial supremacy.

Not only in bank clearances, in shares of stock dealt in, in the iron business, and railroad earnings, but in other particulars the figures are record breakers. Both Bradstreet and Dun call attention in their reviews to the amazing progress of the nation.

"Briefly stated," says Bradstreet's, "the results of the year comprise an unprecedented volume of domestic and export trade; bank clearings in excess of the 1893 record, though reflecting less speculative activity than in that year; railroad earnings likewise surpassing all records, though restricted and narrowed by merciless rate cutting; prices of staples and securities at the close the highest of the year, and, indeed, higher than for five years past, notwithstanding complaints of reduction of margins to a minimum, and, finally, the smallest number and liabilities of business failures reported for at least five years past."

Dun's Review says: "Gross earnings of all roads in the United States reporting for the year to date are \$1,105,000,595, or 7.1 per cent over last year. Roads reporting include all the large systems for the greater part of the year, and embrace a total of 153,153 miles, more than four-fifths the mileage of the country. Earnings represent a larger traffic than in any previous year. The last preceding big year was in 1892, and then rates were on a much higher scale than this year, and the same volume of earnings represented a relatively smaller volume of tonnage."

At present there are no clouds in the sky, but it is well to bear in mind that backsets may come. We do not view the present prosperity as a fictitious boom, resting upon speculation. It is rather the direct result of the nation's accumulated wealth after two great crops and an unexampled foreign trade. Hence it seems secure, with a prospect of even better things in 1899.

THE IRON TRADE REVIEW—CONFIDENT PREDICTIONS OF CONTINUED ACTIVITY KEPT UP—MARKET NOT QUITE SO FEVERISH—PRODUCERS KEEPING WITHIN NARROW CIRCLE OF REGULAR CUSTOMERS.

NEW YORK, January 5, 1899.

Iron trade authorities continue their confident predictions of continuing activity in that industry. In reviewing the iron and steel trades, the Iron Age, pointing out the excellent features of the present situation, will say to-day:

"There is a continuance of activity in the iron and metal trades, although, on the whole, the market is not quite so feverish as it has been. As a matter of fact, producers, loaded for many months to come, are keeping within a narrow circle of regular customers, and are inclined to discourage anything which might foster speculation. How heavily the steel works are engaged is indicated by the fact that one large concern has 1,000,000 tons of orders on its books, while similar figures, relatively, are reported from other works."

"One factor is now coming to the surface, and that is that the railways with heavy tonnage offering are withdrawing their special freight rates on iron and iron products, thus enhancing the delivered prices."

"In the cruder materials the markets are relatively quiet at satisfactory prices. This is notably the case with Bessemer pig iron and with steel billets and wire rods."

"In finished material, however, in which values have been lagging behind, the first impulse is coming. The Beam Association has advanced prices for beams \$2 per ton, and other forms of structural iron are also up. Bars are advancing, the large demand continuing. Our Chicago correspondent notes the sale of one block of 10,000 tons to an agricultural implement maker."

Plates are stiffer and business is restricted by the inability to make deliveries. Chicago notes a sale of 60,000 tons, delivery at the seller's option.

"In the rail trade the Western mills have raised prices \$2 per ton, which seems to have clinched a number of outstanding options. The Pennsylvania Railroad is reported to have placed its order for 105,000 tons, distributed among the mills on the lines.

"A meeting of cotton-tie manufacturers is now being held in Pittsburg to reach some arrangement by which the savage fight in Southern markets may be brought to a close.

"In spite of the advancing tendency export orders continue to be placed, and a good deal of tonnage is being offered. A number of manufacturers express their determination to make sacrifices to hold the trade, which they regard as very valuable.

"It will be recalled that some time since the German Merchant Pipe Combination, a tight and powerful organization, dropped prices in order to freeze out the American works which were invading the market.

"It is interesting to note, in view of this effort, that the National Tube Works Company, of McKeesport, Pa., has just sold 400,000 feet of pipe for delivery in Germany.

"Beyond the facts already given in connection with the wire combination, little that is new has transpired. The American Steel and Wire Company has practical control of the Cincinnati Barb Wire Company, the Pittsburg Wire Company, the rod and wire plant of the Shenango Valley Steel Company, and of the Cleveland Rolling Mill Company. Negotiations are still progressing with the Oliver interests at Pittsburg and with the Washburn & Moen Manufacturing Company. We understand that the capital stock of the American Steel and Wire Company, now \$24,000,000, equally divided between common and preferred, is to be increased to close on to \$100,000,000, also equally divided between common and preferred. Report has it that negotiations are pending for a steel plant in central Ohio.

"The American Tin Plate Company has not yet announced its selling policy, but an early settlement is looked forward to. It is stated that no comprehensive arrangements as to the supply of tin plate bars for the whole requirements have been made, although certain sections are taken care of. Report has it that negotiations are pending with one steel plant, and that the erection of a new steel works is under consideration as an alternative.

"The success of recent consolidations is reviving many old efforts in that direction, and is responsible for the appearance of new schemes, one of which is the concentration of a group of blast furnaces. The latter project has nothing to do with the movement by a syndicate to acquire control of the Virginia furnaces."

A CREDIT TO MR. DINGLEY.

Not so very long ago the free-trade papers were ridiculing the Dingley bill and predicting dire disasters for the finances of the Government. In his own behalf, and in behalf of the party which passed the bill, Mr. DINGLEY stated that the receipts during the early months when the law was in operation were low by reason of advance importations to escape the new and higher duties. He was right, as time has shown.

The bill has been in operation about seventeen months. It now supports the Government from the standpoint of a peace footing. A recourse to figures will show the statement well founded. Here is a table giving the receipts from customs and internal taxes for the calendar year just passed:

Month.	Customs.	Internal revenue.	Total receipts.
January.....	\$14,369,492	\$12,443,199	\$37,332,628
February.....	15,040,680	12,003,318	28,572,358
March.....	15,450,451	12,888,234	32,958,750
April.....	14,193,976	14,819,057	33,012,943
May.....	13,466,594	14,492,208	30,074,818
June.....	14,555,729	16,683,365	33,509,313
July.....	15,169,680	26,170,697	43,847,108
August.....	16,249,699	24,015,934	41,782,707
September.....	16,759,574	21,555,288	39,778,074
October.....	15,555,234	22,356,511	39,630,051
November.....	15,335,200	21,336,743	38,900,915
December *.....	17,000,000	22,500,000	41,500,000
Total.....	177,046,234	221,284,540	440,900,664

* Estimated.

The principal change made in the customs duties was in the tax on tea, which has yielded about \$25,000 a month. From internal revenue receipts there should be deducted about \$10,000,000 a month, or about \$60,000,000, as there is fair ground for believing that the war internal-revenue taxes have yielded about that much during the last half of the calendar year. In addition, \$14,000,000 was paid into the Treasury on account of the Pacific Railroad sale.

If these sums are deducted from the total receipts mentioned, there remains, in round numbers, \$365,000,000, an even \$1,000,000 for every day in the year. Ordinarily this would have been ample, though the increased expenses made necessary by the war will make some of the new war taxes a necessity for some years to come.

If there had been no war, the Dingley bill would have furnished ample means to run the Government. Of that there is no doubt. Up to the end of the year the war expenditures were estimated at \$194,000,000. The bond sale and \$60,000,000 brought in by war taxes have covered that and left a material surplus, which, however, will be needed before matters are in normal shape. Everything considered, the Dingley bill has done well. The framers have no reason to be ashamed of their work.

GENERAL TRADE NEWS—PAY ROLLS REPORTED LARGER THAN FOR EIGHT YEARS—AMERICAN TYPE DIVIDEND—TOBACCO TRADE IMPROVING, AND MANUFACTURERS FIND BUYING IN COUNTRY IS UNPROFITABLE.

[Saturday evening, January 7, 1899.]

	Interest.	Clearings.
New York.....	2½ to 3½	\$241,402,232
Boston.....	2 to 4	21,434,614
Chicago.....	3 to 6	19,315,701
St. Louis.....	4 to 6	4,611,522
Cincinnati.....	2½ to 6	2,049,200

Local banks buy New York exchange over the counter at par and sell at 50 cents premium.

Clearings of Cincinnati banks for the past week (five days) were \$15,297,050, for same week last year (six days) \$14,963,950, with \$13,334,800 in 1897, with \$13,523,000 in 1896, and with \$14,091,150 in 1895.

Not for many years has a new year started as auspiciously as has this one. Bradstreet calls attention to the fact that business failures are exceptionally small for the first week of a new year, numbering only 257, compared with 333 for the same week last year, with 488 in 1897, with 446 in 1896, and with 406 in 1895. In Cincinnati the past week there were no important failures, and, furthermore, it can truthfully be stated that not one prominent concern of this city is under the slightest suspicion.

Ohio and the whole Ohio Valley has harvested a very good crop of winter wheat, and for what has been sold good prices were realized, but the farmers are financially strong, so much is held back with expectations that better prices will prevail before the next harvest and with everything in their favor. The foreign demand is exceedingly good, and the best judges expect it to continue so for two months more, anyway. The condition of the winter wheat plant in the Ohio Valley to-day is excellent. During the most trying weather the plant has been well protected by a blanket of snow, as it is now.

Cincinnati is among the most prominent manufacturing cities of the country, and the manufactures of articles for export have been extremely large, with the results of resumption of dividends by some concerns that have heretofore passed them; others are paying deferred dividends. Financial conditions are slowly improving. The borrowing demand for money among the local banks is light, not sufficient hardly to absorb the accumulations from maturities and increasing deposits, but the character of the borrowing earlier in the week was such as to give some encouragement to the bankers that an improvement in business was in sight. Time money in the East is plentiful, but there is not the plethora of funds on the New York Stock Exchange at the low rates that many expected would be after January 1 settlements.

This does not mean any closeness, however, but the lenders are beginning to more closely scrutinize the collateral. The foreign situation is slowly improving, and all the news received from Germany is of an encouraging character. In London money is easier. Sterling exchange continues firm, with, during the past week, \$1,500,000 gold withdrawn from the Bank of England for the United States. This movement, however, was under exceptional conditions, for the United States is still a heavy lender of funds in Europe, and will be so long as rates there for money are higher than in the United States.

FINANCE AND TRADE.

The first week of the year has witnessed disbursements for interest and dividends, taken together, almost record breaking. Unfortunately there are no figures at hand to show the totals, but as to the greatness in the aggregate for the whole country there is no question. A large part of this sum is now ready for the purchase of investment securities, and some of it, in all probability, will find its way into the speculative markets. But all of it, directly or indirectly, will go to swell the boom the whole country is experiencing.

Again gold is being imported. During the week \$1,500,000 was shipped to New York. This will be an addition to a stock of gold now greater than that held by any nation on the globe, the result of importations and large supplies from the mines. And this supply, great as it now is, promises to be largely increased during the year from the same sources.

The exports of grain continue heavy, the week's shipment of corn and wheat aggregating 12,000,000 bushels, with no signs to show that there will be a material diminution for some time to come.

Viewed in a general way, it may be said that the new year thus opens, as the old one closed, with signs of unexampled prosperity around the whole horizon. The figures from all sources, and from widely different quarters, are most encouraging. There has been, however, a change in the course of speculation. The stock market has been a disappointment to those who anticipated a big spurt on account of the great disbursements for dividends and interest. It was expected that this money would lend new impetus to the bull movement, but expectations have not been fully realized. But, for all that, December activity continued, and it may be the idle money will come to life and be seen in the precincts of Wall street before the month ends.

As to speculation, it may be said that while there have been evidences of irregularity, the market has been a bull market and strongly under control of those who are predicting much higher figures all along the line. There hasn't been the least sign of a slump in any direction. London was a seller, and this, with higher rates for money in the East, call loans touching 6 per cent, but afterwards as low as 3 per cent, occasioned the irregular market.

Concerning the year's failures, Dun says that for 1898 there were 12,236, banking and other financial concerns included, with liabilities of \$149,067,993, against \$148,624,251 estimated last week, 18.3 per cent less than last year, and 46.1 per cent less than in 1896. Commercial failures were 12,186, with liabilities of \$130,662,899, 15.3 per cent less than last year, and 43.2 per cent less than in 1896. The average of liabilities per failure, \$10,722, is the smallest ever recorded.

In the iron market the crowding demand for finished product is being felt and prices are higher, though pig iron, the base for all the trade, shows no advance. Still this is not surprising as the advance in this staple was made some time ago, when future sales for early months of this year were being made.

The general situation is well summed up in Bradstreet's, which says:

"The situation is one of quiet, sustained strength. In wholesale distributive trade annual inventories have occupied attention, and distribution in this branch is, therefore, of only seasonable proportions. Retail trade reflects the quieting down of the eager demand ruling before the holidays, but it is significant that the majority of the reports received since January 1 in this, and in the wholesale branch, refer to collections as almost uniformly good. Export trade, particularly in cereals, continues well up to maximum figures, while reports from the great industries of the country are favorable. Bank clearings for the week reflect exceptionally heavy annual settlements in a total of \$1,765,900,000, nearly \$40,000,000 larger than ever before reported, 25 per cent larger than last week, 24 per cent larger than in this week a year ago, 54 per cent larger than in 1897, 70 per cent larger than in 1896, and 75 per cent larger than in 1894."

Here are reviews from the Cincinnati Times-Star of this year:

THE YEAR OF 1898 ONE OF THE GREATEST IN UNITED STATES COMMERCIAL AND FINANCIAL ANNALS—OVERBOOMED STOCKS WHICH ARE NO LONGER FAVORITES—WHO HAS THE BEST OF THE DEALINGS IN MANHATTAN STOCK?—OTHER FACTORS OF INTEREST TO SPECULATORS AS WELL AS INVESTORS.

One of the years that will live in the commercial and financial history of the United States came to a close Saturday. All lines of business, almost without exception, have experienced a period of activity seldom equaled in the past. True, the profits in some instances have continued rather small, but it is estimated by some of the most conservative business interests that

It is only a question of time until profits grow in proportion to the amount of business accomplished. Several institutions, at any rate, have had confidence enough in the situation to branch out to no little extent. A year ago these same concerns were content to control the business in their respective lines in this country and allow the foreign trade to fall to the lot of Easterners, who lost no time in improving the opportunity for capital making thus offered. The harness and leather trade is one of the several lines referred to. Recently one of the largest saddlery concerns in the world, situated here, made arrangements to be represented in various localities in South America and other foreign countries. Heretofore these localities have been reached through New York hands, but now the Cincinnati firms will derive the revenue usually charged to rehandling at the seaboard. Large returns are expected from this source, though it may be months before anything definite is accomplished.

The supply of money throughout the country is so abundant that some of the larger financial institutions are beginning to express some apprehension over the constantly growing plethora of idle funds. The public has done its share to relieve the situation, as is evidenced by the fact that on comparatively few occasions has it been in the stock market as deep as it is at present. The bears have made numerous attempts of late to create depression, but the public has stubbornly refused to part with its holdings. The professionals have gone so far as to centralize their forces to aid the bears in their efforts to create liquidation, but all in vain and at the expense of their bank accounts. The public is in the market as an investment element and will stick to its securities as long as legitimate conditions justify the maintenance of values on the present level.

As the month of January advances and after some of the standard properties will have paid their dividends there may be some realizing sales by those interests who are of the opinion that better inducements are offered by some of the stocks which have not kept pace with the advance in the higher-priced railroad stocks resultant from the operations of clique traders who have been urged on by the strong financial and physical conditions reflected through the various statements of earnings. However, it will only be a case of transferring holdings, and with an increased demand for certain stocks, and a consequent substantial enhancement in values, the stocks let go will apparently not be in sufficient proportion to cause any material reduction in the general list.

There are several issues of securities which the public has ignored of late, namely, tobacco-trust and sugar-trust certificates. Conditions affecting the business of both corporations are reported to be not only bad, but constantly growing worse. Many fortunes have been made in these two stocks, but more have been lost, and it appears that the successful operators are finally realizing this fact. Both stocks have had their booms, but their subsequent descent was rapid enough to take the breath of some of the timid traders. Some time ago, when the prices began their downward course, people who had faith in the securities were quoted as saying that both properties were overboomed and that the ensuing reaction was only natural. But when the prices seemed to never reach the goal these same people had nothing to say. They simply looked on and began to hunt around for an excuse for the decline. The excuse they offered was flimsy.

Sugar became the center of successive bear attacks, for the reason that Havenmeyer was quoted as saying that dividends would be paid only to an extent justified by the profits of the company. These were known to be small, considerable competition and a severe trade war, which is still in progress, having developed in the meantime. The December dividend was declared in full, however. A few traders took on new courage and bought in a moderate way. Shorts became a little frightened, and buying for their account has put the price up to the present level. Sugar has lost many of its friends during the past year. The stock, according to reports from the East, is not a favorite with investors any longer. Practically the same thing can be said of the tobacco trust's securities. Increased competition and a bad trade outlook have led the influences, which have induced the bears to make telling demonstrations from time to time in the past six months.

Manhattan securities are also among the limited number of issues which the more powerful interests in Wall street are inclined to handle with kid gloves. The stock has been held up for almost a year by one factor. That factor has been the promise of electrical equipment, which would place the property in a position to successfully compete with some of the surface electric roads, which in the past six months have earned enough to justify the increase in the dividend rate on their securities recently declared. Professionals have largely controlled the dealings in Manhattan for some time past. The stock has fluctuated within a range of five points simply through their cleverness, or rather through the failure of the trading element to get onto their methods of speculation.

It has been the rule for some time to create a fair-sized short interest by circulating reports detrimental to the company and then causing a rush to buy and cover short contracts by promulgating an alleged interview with George Gould, in which favorable developments with reference to the electrical equipment would be touched upon. Another "bull factor" which the professionals have been fond of circulating has been the report from time to time that Manhattan had let contracts to some of the larger electrical manufacturing concerns. Many traders have thus been led on and have simply consoled themselves with the threadbare proverb that the "expected never happens in Wall street."

Securities of the leading railroads of the country continue to hold the attention of speculators and investors. The major portion of the gilt-edged bonds have been taken from the market and now occupy strong boxes of some of the richest men not only in this country but in England, as well as on the Continent. New York has done considerable to cause the public abroad to become identified with the securities of American corporations and railroads, but what the foreign representatives of New York financial houses have done is not to be compared to the encouragement offered to foreign investors through the safety of securities representing American interests abroad. The United States, with its enormous trade balance, its large and constantly increasing exports, its excellent crops, its advantageous position in the agricultural field in general, its remarkable standing in the matter of manufactured products, and with the amount of gold held by the United States Treasury and the associated banks of New York City, conservatively estimated at over \$400,000,000, is beginning to be held up as a model of prosperity by all foreign nations of influence.

AL. DIETRICH.

EVIDENCE OF PROSPERITY.

Nowhere is the general condition of the country reflected more accurately than in the value of the leading stocks. There always can be found positive evidence of the condition of the markets. If conditions are bad, prices are depressed; if favorable, the market displays a general upward tendency. Individual stocks can not be taken; the market must be considered as a whole. The return of prosperity since the free-silver lunacy was scotched, the stability of the money markets assured, and the beneficent effect of the McKin-

ley Administration are perfectly indicated in a comparison of the highest prices of the leading stocks in December of the past three years:

Company.	Dec. 31, 1896.	Dec. 31, 1897.	Dec. 30, 1898.	Advance in 1898 over 1896.
Atchafson	14	12	18	4
Chesapeake and Ohio	16	22	25	9
Chicago, Burlington and Quincy	60	100	125	55
Chicago, Rock Island and Pacific	65	90	114	49
Delaware and Hudson	116	111	107	5
Louisville and Nashville	48	56	64	12
Manhattan	90	112	98	8
Missouri Pacific	50	34	46	25
New York Central	93	106	123	30
Northern Pacific preferred	23	50	77	54
Pacific Mail	24	30	45	21
St. Paul	73	85	130	57
Tennessee Coal and Iron	25	28	35	12
Union Pacific	9	25	44	35
United States Leather preferred	61	63	73	12
Wabash preferred	15	18	23	8
Western Union	82	91	93	10

* Decline.

This is a most remarkable showing, a vast gain of wealth in two years. It but emphasizes the prosperity brought to this country, the last year being during a period of war. It shows what the moneyed men think of the condition of affairs and presages much for the future, as for at least two years Republican administration is assured.

ENGLAND'S ALARM OVER AMERICA'S INCREASED TRADE.

The English, as well as the American press, has recognized the change of the commercial relations of the United States with foreign trading nations, a change so rapid and so much in favor of this country as to challenge belief. The Birmingham Daily Mail contained an article on the iron and steel trade recently, from which the following excerpt is taken:

"Starting to the Midlands are the figures published concerning nails. Statistics show that the exportation of wire nails from the United States has grown from 1,547,078 pounds in the fiscal year 1888 to 22,894,000 pounds in the fiscal year 1898. The growth, which has been phenomenal ever since the beginning, has been especially so in the last two or three years. In 1895 the exportations were 4,367,267 pounds; in 1896, 8,031,927 pounds, thus practically doubling in one year; and in 1898, 22,894,000 pounds, showing a similar gain in the last two years, the exports of 1898 being five times more than in 1888. This is not very pleasant when one puts this side by side with the fate of the nail trade in the Midlands. Moreover, Chicago has become the seat of an iron-ore industry that threatens to defy competition, the United States generally is knocking even Germany out in the manufacture of cheap boots, and, besides this, American steel rails are being sent to Ireland and Bombay."

The British Iron and Coal Trades Review is as badly alarmed and swings a danger signal to the British iron and steel tradesmen. In a lengthy article the Review seeks to explain the advance of the American trade by the practiced axiom that the larger the scale of operation the cheaper the cost of production. The Review, after deploring the fact that it is wise to buy of the American manufacturer, says:

"The success of our American friends has been due to their vigorous and persistent attention to elements of business administration which have been less effectively developed at home. The first of these has been a more complete control of the conditions of labor, based upon a generous recognition of the principle that nominally high priced labor is not necessarily the most expensive. The second has been the command of extensive economical and competitive means of transportation. The third has been the substitution of combination for competition wherever possible. The fourth has been the practical application of the old rule that if you want to produce cheaply you must produce on a large scale. There are other lessons inculcated by American experience for those who are capable of reading between the lines. Unfortunately, British manufacturers are often so situated that they can not effectively apply all these lessons, but we can not help thinking that they might do so to a larger extent than they have hitherto done."

The Birmingham Daily Post is neither ignorant nor neglectful of the great losses of iron and steel trade by Great Britain and says:

"How rapidly the trade (of the United States) is developing, and how formidable it is becoming for other mercantile nations has been pointed out in these columns lately on more than one occasion, and additional light is shed upon the subject by some information which will be found in our commercial pages to-day. Up to a comparatively recent period the manufacturers of the United States, however enterprising and well equipped, were formidable only in their own country. In neutral markets the only American products that met us were, with few exceptions, of the agricultural class. Within the last few years, however, the trade relations of the two countries have undergone an enormous change, which is not at all to our advantage, and both in textile and metallurgical products the Americans are now doing a great and rapidly growing export trade, which has already invaded to some extent our home markets."

The best part of it, not from an English view, however, is that the export of manufactured goods is constantly increasing. A comparison between the years of 1892 and 1897, the years that witnessed the departure and return of general prosperity, gives a fair idea of the increase. In 1892 the total exports of the United States were \$600,000,000, of which 79 per cent was agricultural products and 16 per cent manufactured goods. In 1897 the exports increased to \$1,000,000,000, of which agricultural products constituted 60 per cent to 27 per cent of manufactured goods. The articles of manufacture exported in 1897 were more than double in value those in 1892. Verily, the English press is not frightened at a bugaboo.

Here is the New York Sun upon the subject of the iron ore of Lake Superior:

LAKE SUPERIOR IRON ORE—GREAT ADVANCE IN THE MINING OUTPUT OF THE REGION—THE OUTLOOK FOR 1899 STILL MORE PROMISING—WAGES GOING TO BE HIGHER THAN FOR SEVERAL YEARS—TABLES OF THE PRODUCTION—RECORD FOR 1899 MAY BE 17,000,000 TONS.

LANSING, MICH., December 30, 1898.

The year 1898 has been marked by great activity in the iron mines of the Lake Superior district. The ore production is more than one and a half million tons greater than in 1897 and exceeds the output of two years ago by more than 50 per cent. The profits have been small to even the best mines, and some of the non-Bessemer properties have been worked at a loss, despite the utmost economy.

Wages have advanced and the outlook for 1899 is a better one for the mine worker than at any time since 1890. It is certain that more ore will be mined in 1899 than ever before, that more men will be employed in the mining, and that wages will rule higher than at any time since the beginning of the panic of 1893, which was most severely felt by all connected with the iron ore industry.

The shipments of ore from the seven ports on Lakes Superior and Michigan which receive the ore by rail from the mines and send it to Lake Erie and the southern ports of Lake Michigan by water amounted to 13,650,351 gross tons, as compared with 12,215,645 tons in 1897 and 9,644,036 tons in 1898. This table gives shipments by ports with the figures of shipments for the two preceding years:

Port.	1896.	1897.	1898.
	Tons.	Tons.	Tons.
Duluth.....	1,088,932	2,376,064	2,636,404
Escanaba.....	2,321,931	2,302,121	2,803,542
Two Harbors.....	1,813,902	2,651,465	2,694,994
Ashland.....	1,506,236	2,067,637	2,393,087
Marquette.....	1,564,813	1,945,519	2,245,965
Superior.....	167,245	531,525	550,403
Gladstone.....	220,887	341,014	555,956
Total.....	9,644,036	12,215,645	13,650,351

In addition to the water shipments the all-rail shipments must be included in arriving at the grand total of production. The all-rail shipments of 1898, figures of which will not be obtainable for several weeks, will probably reach 500,000 tons, which would give a total production of 14,150,351 gross tons for the year. Every ore-shipping port except Gladstone showed a gain in tonnage in 1898 over the previous two years.

Ore receipts at Lake Erie ports were as follows:

	Tons.
Ashtabula.....	2,684,563
Cleveland.....	2,643,318
Conneaut.....	1,494,169
Erie.....	1,082,364
Buffalo.....	1,075,975
Fairport.....	912,879
Lorain.....	536,086
Toledo.....	414,012
Sandusky.....	136,200
Huron.....	126,755
Total.....	11,028,321

This leaves a balance of 2,622,030 tons, which was shipped to various Lake Michigan and upper lake ports, by far the greater part of which went to the works of the Illinois Steel Company, at South Chicago and Milwaukee. The amount of ore on the Lake Erie docks on December 1 was 5,136,407 tons, as compared with 5,023,755 tons on December 1, 1897, showing a decrease of 78,245 tons on the docks, notwithstanding the production was 1,640,713 tons greater in 1898 than in 1897. It is believed that the ore supplies of the Federal Steel Company, at South Chicago, are smaller than one year ago, although it was necessary for the works there to get nearly 400,000 tons of ore direct from the mines by all-rail shipments during last winter, between the closing and opening of navigation. Heavy all-rail shipments to Chicago from Menominee and Gogebic Range mines are more than probable to occur during the present winter.

The following table gives 1898 shipments by ranges in the first column and total production to date by ranges in the second column:

Range.	1898.	Total.
	Tons.	Tons.
Marquette.....	3,686,552	32,330,774
Menominee.....	2,271,636	27,203,070
Gogebic.....	2,394,701	25,441,724
Mesaba.....	4,604,934	16,900,380
Vermilion.....	1,200,807	11,705,583
Total.....	13,650,351	133,710,550

The percentage of production furnished by each of the five ranges for the past three years and since mining was begun has been as follows:

Range.	1896.	1897.	1898.	Total.
Marquette.....	23	21	22	40
Menominee.....	17	15	17	20
Gogebic.....	20	18	18	19
Mesaba.....	28	35	34	12
Vermilion.....	12	10	9	9
Total.....	100	100	100	100

The ore production of the ten mines leading in tonnage was:

Mine.	Tons.
Norrie group.....	896,000
Cleveland-Cliffs.....	865,900
Chandler.....	715,920
Lake Superior.....	690,000
Mountain Iron.....	650,021
Fayal.....	575,933
Mahoning.....	529,751
Chapin.....	506,198
Lake Angelina.....	463,040
Minnesota.....	427,784
Total.....	6,810,527

These ten mines produced 46 per cent of the ore mined and forwarded by the seventy-eight producing mines of the entire Lake Superior district. The Gogebic Range takes first place among the big shippers with the Norrie. The Marquette Range has second, fourth, and ninth positions, the Vermilion third and tenth places, while the Mesaba is bunched in fifth, sixth, and seventh positions, and the Menominee has a solitary representative among the ten big shippers in the Chapin, which occupies eighth place. The Chapin was the largest ore producer in the world previous to the development of the Norrie.

The total production to date of the fourteen largest mines of the district has been as follows:

Mines.	Tons.
Cleveland-Cliffs.....	11,088,800
Lake Superior.....	8,261,130
Norrie group.....	8,197,017
Chapin.....	7,279,880
Minnesota.....	6,189,631
Penn Iron Mining Company.....	6,050,881
Chandler.....	4,947,232
Lake Angelina.....	4,647,536
Republic.....	4,642,728
Jackson.....	3,595,357
Champion.....	3,387,643
Aurora.....	2,402,770
Queen group.....	2,371,429
Ashland.....	2,201,658
Total.....	65,143,190

The production of these 14 mines amounts to 49 per cent of the total output of all Lake Superior iron mines, there being 230 properties which stand credited with having shipped ore since the Marquette Range was opened in the early fifties.

The following table shows the total number of mines opened in each district and the number shipping ore at various periods:

Range.	Total.	1880.	1885.	1890.	1895.	1900.	1907.	1908.
Marquette.....	90	38	23	35	23	23	20	15
Menominee.....	61	15	13	32	23	18	18	16
Gogebic.....	44	7	26	19	20	20	20	21
Vermilion.....	4	1	3	3	4	4	3	3
Mesaba.....	31				17	20	10	23
Total.....	230	53	51	96	85	85	81	78

In 1880 there were only two ranges, the Marquette and Menominee, and the latter had been opened but three years. In 1885 the Gogebic and Vermilion ranges were making their second season's shipments. In 1890 there were 96 producing mines, although the Mesaba was at that time merely a possibility and did not ship ore until two years later. The number of producing mines has steadily shrunk, and this process promises to continue. The decrease in the number of active properties is more apparent than actual, for the reason that big mines swallow little ones. The Norrie group comprises the Norrie, East Norrie, and Pabst. The Chapin has recently assimilated its big neighbors, the Hamilton and Ludington, while the Cleveland-Cliffs Company owns and operates a half dozen mines, once independent properties.

The following table illustrates the remarkable expansion of the Lake Superior iron-ore industry, the year's output being given in the first column, while the total production to date including the year named is given in the second column:

Year.	Year's output.	Total output.
1855.....	1,440	4,440
1860.....	114,401	105,547
1865.....	186,208	972,015
1870.....	830,940	3,634,211
1875.....	891,257	8,288,901
1880.....	1,885,724	14,658,169
1885.....	2,406,642	27,434,914
1890.....	9,003,725	57,122,410
1895.....	10,429,037	97,508,769
1896.....	9,934,828	107,443,597
1897.....	12,469,638	119,913,235
1898.....	14,110,351	134,023,586

There have been regularly worked mines of iron ore in the Lake Superior district for forty-five years, yet almost one-third of the total production has been achieved in the last four years. During 1898 the lake mines took out more ore every six weeks than was mined during the year 1890. In 1879 the total ore production reached 1,374,880 tons. During 1899, just twenty years later, just about as much ore will be taken out every month in the year as was mined during that twelvemonth. In 1886 the mines nearly doubled their output, and there was fear that the country, then just over the civil war, could not absorb the mountains of ore taken from the lake mines; yet more ore will be mined every week during 1899 than was taken out during that entire year, just a third of a century previous. As much ore will be mined every working day during 1899 as was produced during the two years of 1867 and 1868.

Ore prices will be advanced for 1899. This step is rendered imperative by the increased demand for ore, which causes a scarcity of skilled labor and an advance in lake freights. The rise in ore prices will be small—perhaps as much as 25 cents a ton and perhaps as little as 10 cents on standard Gogebic ore, which is the base from which all ore values are figured. The price of ore will be settled by the Bessemer Ore Association, which is something like a trust. It is a voluntary association of business enemies brought together four years ago by the desperate condition of the ore trade. It fixes a price on a certain grade of Norrie ore and allots tonnage to the various members. The non-Bessemer mines are not members, but the value of their ore is figured on the same scale as the Bessemer ores. Owing to the lack of such a combination as is had by the Bessemer mines, the non-Bessemer properties are depleting their ore reserves without profit, each hoping the other will succumb first.

There is some possibility that the Mesaba Bessemer mines will be taken back into the pool, from which they were ejected two years ago by mining companies hostile to the Carnegie Company.

Here is a splendid statement from a great British authority as to our situation:

There was a very striking paragraph in the last letter of the Associated Press from London. Just now, as the year is passing away, we reproduce it as a matter of national pride:

"It is no exaggeration to assert that the foremost topic compelling attention in Europe in general and in Great Britain in particular, overshadowing the dreary broils of domestic politics, is the remarkable, aggressive, commercial prosperity which the United States is manifesting. Hardly a newspaper review or a public speaker during the past month has failed to notice with what giant's strides America is coming into the first place in the alignment of the powers. It is certainly the chief subject of conversation on Lombard street and on the continental bourses. The manager of one of the greatest London banks recently drew an American businessman into his private office and said in an awe-struck tone: 'This is the first time in the history of finance that New York has been in a position to dictate money rates to London, Berlin, and Paris.'"

The foreign world has good reason for the interest taken in American affairs. The tremendous balance of trade against it is the secret of the interest. This balance of trade, merchandise, including silver, amounts in eleven months to a sum but a trifle less than \$600,000,000. On this balance we have been paid in gold \$134,000,000, leaving a nominal balance in our favor of \$425,000,000. The month of December will add a material sum to this.

Against this there may be an offset on account of freight paid foreign shippers, expenditures of American tourists, etc., of \$200,000,000, though this is a liberal estimate. There still remains \$225,000,000, which by this day amounts to \$200,000,000.

It is well established that a part of this has been paid by the return of American securities, some experts estimating the payments at one-half, though this is largely guesswork; but it seems reasonable to say that the unpaid balance due America is not far from \$150,000,000 at this beginning of the new year.

This explains the ease of money in New York and its tightness abroad. If the conditions were reversed, gold would come more freely; but as matters now are the foreigners are paying interest on the balance, and New York is fixing the money rate of the world.

In the matter of the import and the export of gold, to corroborate all that I have said and to strengthen the position taken by these newspaper reports, I publish the following from high authority:

With the largest exports in our history and the smallest imports in many years, there comes naturally the largest net importation of gold. The total gold imports of the eleven months ending with November were \$149,396,370, which is a much larger sum than was ever imported in any full year prior to 1898, while the total exports of gold for the eleven months were but \$14,975,316, making the net gold importations of the eleven months \$134,421,054. The following table shows the importation and exportation of gold by years from 1890 to 1898, the figures for only eleven months of the year 1899 being given:

Calendar year.	Gold.	
	Imports.	Exports.
1890	\$20,230,000	\$24,063,074
1891	44,970,110	79,086,581
1892	17,450,946	76,532,056
1893	72,762,380	70,775,820
1894	21,350,607	101,978,689
1895	34,396,362	104,967,402
1896	104,731,259	58,256,890
1897	34,020,592	34,276,401
1898 (eleven months)	149,396,370	14,975,316

And so I submit that prosperity is here, and that it came as the result of Democratic defeat and Republican victory in 1896 and the legislation which followed. [Applause.]

Army Reorganization—The Policy of Expansion.

SPEECH OF HON. WILLIAM H. FLEMING, OF GEORGIA, IN THE HOUSE OF REPRESENTATIVES,

Friday, January 27, 1899,

On the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. FLEMING said:

Mr. CHAIRMAN: The nature of our foreign policy will necessarily determine, in large measure, the size of our Army. I therefore make no apology for discussing in connection with this bill the general subject of territorial expansion now uppermost in the public mind. Indeed, our foreign policy touching this matter ought to be outlined in advance of the passage of the Army bill.

RESPECT FOR THE CONSTITUTION.

In considering the question of acquiring any territory whatever our first concern should be to ascertain what relation such acquisition will bear to the Constitution. All true Americans respect the fundamental law on which the structure of our greatness has

been already builded so high. The obligation to hold the Constitution inviolable is specially binding on us as legislators, not only by reason of the explicit language of our oath of office, but also because of the confidence reposed in us by the people, whose sovereign will it embodies.

The shallowness of mind which can see nothing wise or sacred in that noble instrument, and the flippancy of speech, recently so obtrusive and offensive, which seeks to ridicule every man who ventures to uphold it in its integrity, will in no wise deter the thoughtful and courageous from giving unswerving loyalty to its supreme authority.

Fortunately the wise men who made the Constitution did not force the young nation into a narrow, contracted mold of fixed measurements at all points—rigid and inextensible. They left room for growth and extension. Instead of going into minute details, they laid down general principles which wise judicial construction has been able to adapt to most all of the emergencies that have so far arisen in our national development. When radical changes were deemed necessary, they were ingrafted upon it in accordance with its own provisions.

DIVISION OF GOVERNMENTAL POWERS.

In order to have a clear understanding of the relations which the Constitution bears to the acquisition and to the government of new territory, we must bear in mind that the legislative, executive, and judicial functions are in large measure separate, each from the other two. If territory is acquired by the executive and legislative departments cooperating to make a treaty or to enact a statute, there is but one tribunal which can finally declare such acquisition unconstitutional, and that tribunal is the Supreme Court, and its machinery can not be put into operation on a hypothetical case, but only on a real case involving private rights.

The most practical question, then, for us to answer is this: If new territory has been acquired and a case involving private rights arises thereunder, will the Supreme Court uphold the act of acquisition, or will it declare such act void as in violation of the Constitution? To answer this question we must go to the Constitution itself and the decisions of the Supreme Court construing it.

POWER OF OUR GOVERNMENT TO ACQUIRE TERRITORY.

We are all more or less familiar with Article I, section 8, paragraph 11, giving Congress the power to declare war, and with Article II, section 2, paragraph 2, lodging in the President and two-thirds of the Senators the power to make treaties. We also remember Article I, section 8, paragraph 18, which vests in Congress the authority to make all laws which shall be necessary and proper for carrying into effect all powers vested in the Government of the United States. Nor should we overlook the declaration in the tenth amendment that powers not delegated to the United States nor prohibited to the States are reserved to the States, respectively, or to the people.

It is clear from the provisions of the Constitution itself, as well as from contemporaneous history, that the great problem the men of that day were trying to solve was, How best to divide the powers of government between the State governments on the one hand and the Federal Government on the other. Over this shadowy line of demarcation many great battles, political and legal, have been fought. But there never was a disposition to deny to the Federal Government any power pertaining to political sovereignty which from its nature could not be properly exercised by a State government.

The jealousy existed over internal, not external affairs. It was the intention of the Constitutional Convention to present to the outer world a complete political unity endowed with all the essential incidents of sovereignty touching our foreign relations—these foreign relations being attributes of sovereignty which the States expressly surrendered. For article I, section 10, paragraph 3, denies in express terms to any State the power to make any agreement or compact with a foreign power or to engage in war except in case of pressing emergency from invasion, etc.

Having thus fully surrendered the treaty-making power and the war-making power to the United States Government, there was no ground for State jealousy on that score, and no reason for placing any limitations on the exercise of those powers by the Federal Government, the agency to which they were delegated, save and except the restrictions as to methods of procedure, etc.

In the light of this truth it seems plain that the power given to the United States Government to declare war and make treaties was intended to be complete, and therefore necessarily includes the power to acquire territory, which is one of the most common results of wars and treaties.

POWER OF ACQUISITION SUSTAINED BY SUPREME COURT.

Accordingly we are not surprised at the decision of the Supreme Court delivered by Chief Justice Marshall in 1823, as follows:

The Constitution of the United States confers absolutely on the Government of the Union the power of making wars and making treaties; consequently that Government possesses the power of acquiring territory either by conquest or by treaty. (1 Peters, page 511.)

And this doctrine was amplified by the decision of the Supreme Court delivered by Justice Matthews in 1889, as follows:

The power to acquire territory other than the territory northwest of the Ohio River (which belonged to the United States at the adoption of the Constitution) is derived from the treaty-making power and the power to declare and carry on war. The incidents of these powers are those of national sovereignty and belong to all independent governments. (136 U. S. R., page 42.)

Either of these decisions, had it been pronounced in time, would have saved Mr. Jefferson all the qualms of conscience which he suffered in acquiring Louisiana without first amending the Constitution.

INCIDENTS OF SOVEREIGNTY UNDER LEGAL-TENDER DECISIONS.

There is another class of decisions not yet cited, I think, in this discussion, which bear with overwhelming force on this point of the plenary powers of the National Government in matters involving the attributes of sovereignty. I refer to the legal-tender cases.

In 1869 the court held by a majority of 1 that Congress did not have the power to make Government notes legal tender. (8 Wall., page 603.) In 1870 the court (its membership having been increased) held by a majority of 1 that Congress did have the power to make Government notes legal tender. (12 Wall., page 457.) And in 1884 the court confirmed its later decision by a vote of 8 to 1—Justice Field being the only member dissenting.

In his concurring opinion, in 1870, Justice Bradley said that the power of the United States Government to make its paper notes legal tender was "one of those vital and essential powers inhering in every national sovereignty and necessary to its self-preservation." (12 Wall., 564.)

In the last case, in 1884, Justice Gray, speaking for eight members of the court, said:

And the power to make the notes of the Government a legal tender in payment of private debts being one of the powers belonging to sovereignty in other civilized nations, and not expressly withheld from Congress by the Constitution." (110 U. S. R., page 450.)

Now, if it be true, as twice declared by our highest judicial tribunal, that, though the Constitution nowhere confers upon the United States Government, expressly or by necessary implication, such a power, yet, nevertheless, the Government, as an inherent attribute of sovereignty, has the power, namely, to take a piece of paper and make it legal-tender money, then who can question for a moment that the same Government has the power, as an inherent attribute of sovereignty, to take a piece of territory and make it a part of the domain of the United States? Surely no mind that accepts the former proposition can reject the latter.

ACQUISITION OF TERRITORY A POLITICAL NOT A JUDICIAL QUESTION.

That the United States Government has the power to acquire territory is a closed question in our courts, and it is entirely immaterial, as a matter of pure legal right, whether the territory be near or far, in the Western Hemisphere or the Eastern Hemisphere, under the equator or on the pole, whether it be densely or sparsely populated, whether its inhabitants be of this race or that race of men.

Appeals based on such considerations as these are eminently proper when used to dissuade the legislative department from extending our sovereignty over certain areas, but they could carry no weight at all in a court which was inquiring into the constitutionality of the act of acquisition. The court would hold that the wisdom or unwisdom of acquiring the territory was a purely political question, exclusively in the province of the legislative department, and with it the judiciary have no concern.

It would be vain to argue to the judges that the intention of Congress was to hold the newly acquired territory as a colony—that is to say, to govern the inhabitants by its own absolute will, unchecked by those safeguards of the Constitution which are thrown around the inhabitants of all other lands under our jurisdiction. The judges could only reply that in deciding the bare question of whether or not sovereignty passed to the United States Government they could not inquire into the legislative intention as to future control. If the methods of procedure in acquiring the territory were in accordance with the Constitution, the sovereignty would be unassailable in court.

RESTRICTIONS ON POWER OF CONGRESS TO GOVERN.

And yet, Mr. Chairman, when we have reached that conclusion, there still remains the vital question, in what manner will our Constitution permit us to govern the people of this new territory after we have acquired it? Certainly there is no power to compel us to admit them to statehood. No doubt about that. But can we discriminate against them in respect to those personal and civil rights which are guaranteed by the Constitution to the people of all other parts of the United States?

In other words, can we govern the people of the Philippine Islands in any manner different from that in which we could govern the people of the Territory of New Mexico, if we saw fit to change their present form of government? Or, to be more specific, can we establish over the Philippine Islands a colonial form of government outside the Constitution in contradistinction to a territorial form of government inside the Constitution?

All these questions must now be answered in the negative. It is true that Mr. Webster, in a speech in the Senate in 1849, while engaged in a partisan debate with his rival, Mr. Calhoun, took the position that the right of trial by jury, habeas corpus and other rights of personal liberty did not attach under the Constitution but "must be conferred by law before they can be enjoyed in a Territory." But since that day a higher authority has settled the law to the contrary. The Supreme Court, in 114 U. S. R., page 14, says, in speaking of the inhabitants of Territories:

Their political rights are franchises which they hold as privileges in the legislative discretion of the Congress of the United States, [but] the personal and civil rights of the inhabitants of the Territories are secured to them as to other citizens by the principles of constitutional liberty which restrain all the agencies of government, State and national.

And in 170 U. S. R., page 346, the Court says:

That the provisions of the Constitution of the United States relating to the right of trial by jury in suits at common law apply to the Territories of the United States is no longer an open question.

Thus we see that the power given to Congress in Article IV, section 2, paragraph 3, "to dispose of and make all needful rules and regulations respecting the Territory or other property belonging to the United States," refers to the political status of the people of the Territories and not to their personal and civil rights guaranteed elsewhere in the Constitution. There is no direct limitation on the form of government which Congress may establish in a Territory, provided it contains machinery for enforcing the personal and civil rights guaranteed in the Constitution.

The local executive may be one man or a council of several men; the courts may consist of one judge or of several judges. The laws may be framed by a local legislature or by Congress itself. These and similar political powers may be exercised by Congress without restriction. Indeed, the Supreme Court has held in so many words: "It (Congress) may do for the Territories what the people under the Constitution may do for the States." (101 U. S. R., page 133.)

PERSONAL AND CIVIL RIGHTS GUARANTEED BY THE CONSTITUTION.

But there are certain undeniable rights guaranteed by the Constitution to all citizens of the United States, however humble or ignorant, whether they live within the boundaries of a State or a Territory or a "colony," if there could be such a thing as a "colony."

It is true that the Paris treaty itself declares that the political and civil status of the inhabitants of the Philippine Islands is to be determined by Congress. But such a clause in a treaty can not set aside our Constitution nor confer upon Congress a power it does not possess. When sovereignty over the Filipinos has once passed to us, our power to fix their political and civil status must be exercised within the restrictions of our own Constitution.

In order now to get our correct bearing, let us inquire what are some of these constitutional guarantees of personal and civil rights. Among them we find the following:

1. The right to the free exercise of one's religion.
2. To freedom of speech and of the press.
3. To peaceably assemble and petition for redress of grievances.
4. To keep and bear arms.
5. To be exempt from having soldiers quartered in his house in time of peace or in time of war except as prescribed by law.
6. To be secure in his person, house, papers, and effects against unreasonable searches and seizures.
7. To demand a presentment or indictment of a grand jury as a condition precedent to being held to answer for a capital or otherwise infamous offense, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger.
8. To be only once put in jeopardy of life or limb for the same offense.
9. To refuse to be a witness against himself in a criminal case.
10. To be not deprived of life, liberty, or property without due process of law.
11. To not have his private property taken for public use without just compensation.
12. To have a speedy and public trial by an impartial jury when accused of crime and in the State and district wherein the crime shall have been committed.
13. To be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.
14. To have a trial by jury in suits at common law where the value in controversy exceeds \$20.
15. To be exempt from excessive bail, excessive fines, and the infliction of cruel and unusual punishments.
16. To have the privilege of the writ of habeas corpus.

Such are some of the personal and civil rights which can not be taken away from the humblest citizen, whether he lives in a State, a Territory, or a "colony," so called, and the only way by which these rights could be withheld would be for Congress to refrain from establishing any governmental machinery by which they could be asserted, and such dereliction on the part of Congress

would be a plain violation of its duty. As long as war lasts, our holdings in the Philippines are under military government; but when peace ensues and we acquire sovereignty, the duty of Congress to admit them to statehood or to provide suitable Territorial government within the limits of our Constitution is one we can not shirk without being recreant to our trust.

MEANING OF WORDS, "THE UNITED STATES."

In the same speech to which I have referred, Mr. Webster, in 1849, proclaimed the doctrine that "Territory, while a Territory, does not become a part and is no part of the United States." Party necessities must have coerced Mr. Webster's judgment at that time, for the Supreme Court had already disagreed with him in that doctrine. Speaking through Chief Justice Marshall, in 1820, the court say:

Does the term "the United States" designate the whole or any particular portion of the American empire? Certainly this question can admit of but one answer. It is the name given to our great Republic, which is composed of States and Territories. (5 Wheat., page 317.)

OUR CONSTITUTIONAL RESTRICTIONS RENDER IMPRACTICABLE GOVERNMENT OF FILIPINOS.

Now, Mr. Chairman, I ask the direct question, Is there a member of this House who believes that we can successfully govern 8,000,000 of the Filipinos with these constitutional restrictions upon us? Do you believe that they are sufficiently like unto us in habits and customs, in intelligence and self-restraint, to admit of the application to them of our bill of personal and civil rights under the Constitution?

Imagine a grand jury of half-naked savages in some of those islands deliberating on indictments for capital offenses! Picture a petty jury of 12 listening to the judge, as he explains the intricacies of the doctrine of reasonable doubt in favor of the prisoner's innocence! Why, sir, it is hardly possible that one-half of the fifty-odd crude dialects of these semibarbarous tribes have sufficient lingual capacity to admit of a translation of a judge's charge to a jury on the several grades of homicide as generally recognized by our laws.

What folly for us to take a step toward colonial empire which must result in such a mockery of government. Far better for them and for us to let their own leaders gather around themselves the intelligent classes of the islands and maintain their own form of government, adapted to the needs of the people, as they have already begun to do, and, with our friendly arms to guard them, let them work out their own political salvation.

I admit that the courts can not invalidate a legislative act or treaty taking sovereignty over the Philippine Islands, because that is a political not a judicial question. But our imperialists should not delude themselves with the hope that their policy is in any practical sense beyond the reach of that tribunal, one of whose chief functions is to guard the Constitution against legislative aggression.

When a case is made involving the personal and civil rights of the humblest of these new Americans our Supreme Court will be true to its high mission and extend the protection of the Constitution to every foot of the empire of the United States, unless it reverses decisions already solemnly proclaimed. That court disappointed the people in striking down the income tax by reversing its decisions that had stood for a century, but we can still recall with pride its fearless discharge of duty in arresting the usurpations of Congress in the civil-rights act.

ALTERNATIVE OF CONTINUOUS MILITARY GOVERNMENT.

The only alternative, the only avenue of escape from the application of our constitutional guaranties of personal and civil rights would be to consider our new citizens in a perpetual state of insurrection (which will no doubt be true for many years) and rule them with the iron hand of martial law. Then indeed we would afford a spectacle to the world! A president of a free republic in the Western Hemisphere governing with the absolute power of a military dictator more than a thousand islands in the Eastern Hemisphere—one man the master of 8,000,000 vassals! Could folly run swifter into crime?

EFFECT OF ANNEXATION ON ALIEN CONTRACT-LABOR LAW.

But there are other serious practical difficulties which sensible men will consider before proceeding further into this darkness. The law of 1891, prohibiting the importation of contract labor into this country, applies by its express terms to none other than "aliens not lawfully entitled to enter the United States." If the pending treaty is ratified without qualifying action by us the Philippine Islands will be a part of "the United States." Their inhabitants will be inhabitants of the United States, and no longer "aliens not lawfully entitled to enter the United States;" and being in the United States they will have the undoubted right to go from one place to another in our jurisdiction, and thus the importation of contract labor from the Philippines will no longer be forbidden. What will our laboring classes think of this friendly (?) legislation?

MOHAMMEDAN POLYGAMY.

Again, what about the Edmunds Act for the suppression of polygamy in the Territories? That act makes a criminal of any-

one who practices polygamy "in a Territory or other place over which the United States have exclusive jurisdiction." (Supplement Revised Statutes, page 331.) Observe the scope of that language. It is admitted that a large proportion of the Filipinos are believers in the Mohammedan religion. On this point a standard authority pertinently says of Mohammed:

While claiming for himself special privileges in regard to his domestic relations, asserting that they were allowed him by the direct permission of God, he limited the number of wives which a true believer might take to four.—*American Cyclopædia*, volume 11, page 699.

The Representative-elect from Utah to the Fifty-sixth Congress is not accused of having more than three wives, and yet a perfect storm of indignation is sweeping the country against permitting him to retain his seat here among our monogamists. What are you going to do about these thousands of unfortunate Filipinos with four wives apiece, taken under sanction of their religion? Will you refuse to extend the Edmunds Act to that part of our domain and thus discriminate against American male citizens here at home?

RELATION OF ANNEXATION TO REVENUE LAWS.

More important still is the effect of annexation on our revenue laws when peace ensues and the military arm is lifted.

The Dingley law in express terms levies duties on goods imported from "foreign" countries. Our newly acquired territory will no longer be "foreign," but will be a part of the United States. Besides that, our Constitution requires that "all duties, imposts, and excises shall be uniform throughout the United States." Therefore, no foreign article can get into Manila free which has to pay a tariff duty to get into New York. And no foreign article which comes into New York free can be made to pay a tariff duty in order to get into Manila.

NO "OPEN-DOOR" POLICY POSSIBLE EXCEPT ON BASIS OF FREE TRADE.

We hear a great deal about an "open-door" policy in the Philippines. By this, we are told, is meant, not that all tariff duties are to be abolished there, but that the merchants of all other nations can trade there upon the same terms as our own merchants; and much praise has been received from our English cousins for this evidence of our friendship and intelligence.

Let us see what this scheme will lead to. Under our laws there is absolute free trade among the States and Territories of the United States. If these laws continue, no tariff duties can be exacted on goods imported into Manila from any of our home ports. If, then, all other nations are to be given the same privileges, what is to be done about raising revenues to support the local government in the Philippines? Not a dollar will be raised by the tariff under that plan. If we could shut the door against all other nations, by the terms of the treaty we must leave it open to Spain for ten years under the same privileges our merchants enjoy, and if our merchants and Spanish merchants pay no duties, the customs revenue at Manila must necessarily be small.

Congress has no power to put tariff duties on domestic goods going from a State into a Territory. To do so would violate the requirement of uniformity "throughout the United States." And, besides, an import tax on Massachusetts shoes at Manila would be practically equivalent to an export tax on them at Boston, and Article I, section 9, paragraph 5, of the Constitution provides that "no tax or duty shall be laid on articles exported from any State." It is plain, therefore, that there can be no open-door policy in the Philippines except on the basis of free trade.

That door will be closed to outsiders, or else our whole tariff system will have to be abandoned. Does any man believe that the Republican party is going to open that door on such terms? Never! Our English friends may as well be told now as at any other time that for years to come the Philippine Islands will be fenced round about into a closed tariff preserve for the exclusive benefit of American manufacturers.

DANGER OF A TARIFF "PRESERVE" IN THE ORIENT.

That consummation would, no doubt, be devoutly wished by certain classes who for a hundred years have drawn tribute from the agricultural industries of the country. But just here looms up a portentous danger. From every quarter we hear the demand that we must have open ports for our products to reach the hundreds of millions of people in China. But how could we have the effrontery to demand such a privilege of open ports when our own ports in the Philippines, almost at the shores of China, are practically closed by a prohibitive tariff? If we hope to extend our trade with other nations in the Orient, it will be the height of folly to give such a striking example of our self-protecting policy right at their very doors by forcing them to pay tribute to us for trading at the Philippines.

With our American States trading free at the Philippines by virtue of our Constitution, and with Spain trading free also by virtue of the Paris treaty for ten years, the customs receipts from other sources will certainly not reach a very high figure, and thus will be entailed a heavy burden of local taxation to sustain the

"colonial" government, or the cost will have to be paid out of the home Treasury at Washington.

OUR TAX LAWS KEEP PACE WITH OUR SOVEREIGNTY.

Immediately in this connection another practical question arises: When do our Federal tax laws become operative in newly acquired territory? Do they go *pari passu* with our sovereignty or do they wait on Congressional action? During the military occupation by our troops in the interval between the loss of possession by Spain and the complete assumption of sovereignty by us upon the ratification of the treaty, taxes are laid at the will of the President as the Commander in Chief of the Army. Certain tariff duties fixed by Presidential military order are now being collected in Porto Rico and the Philippines. When the treaty is ratified are these duties at once superseded by the duties named in the Dingley bill, or do they remain in force until Congress passes a statute specially extending the Dingley bill to Porto Rico and the Philippines?

On October 7, 1848, after the war with Mexico and after the cession of California to us, Mr. Buchanan, then Secretary of State, sent to his official representative at the port of San Francisco a dispatch from which the following extracts are taken:

By the conclusion of the treaty of peace the military government which was established over them [the people of California] under the laws of war, as recognized by the practice of all civilized nations, has ceased to derive its authority from this source of power.

This government *de facto* will of course exercise no power inconsistent with the provisions of the Constitution of the United States, which is the supreme law of the land. For this reason no import duties can be levied in California on articles the growth, produce, or manufacture of the United States, as no such duties can be imposed in any other part of our Union on the productions of California. Nor can new duties be charged in California upon such foreign productions as have already paid duties in any of our ports of entry, for the obvious reason that California is within the territory of the United States.

A suit was brought to recover certain tariff duties paid at San Francisco after the treaty of cession was ratified and before Congressional action was taken extending the tariff laws. The Supreme Court was called on to decide whether the tariff laws of the United States took effect in the newly acquired territory in advance of Congressional action extending them. The court said:

That war tariff, however, was abandoned as soon as the military governor had received from Washington information of the exchange and ratification of the treaty with Mexico, and duties were afterwards levied in conformity with such as Congress had imposed upon foreign merchandise imported into the other ports of the United States, Upper California having been ceded by the treaty to the United States. (16 Howard, page 189.)

Again:

By the ratification of the treaty California became a part of the United States, and as there is nothing differently stipulated in the treaty with respect to commerce, it became instantly bound and privileged by the laws which Congress had passed to raise a revenue from duties on imports and tonnage. (Id., page 197.)

Again:

The acts of 20th July, 1790 (1 Stat. L., 130, chapter 80), and that of the 2d of March, 1799 (1 Stat. L., 627, chapter 22), were also of force in California without other special legislation declaring them so. (Id.)

Again:

It having been shown that the ratification of the treaty made California a part of the United States, and that as soon as it became so the Territory became subject to the acts which were in force to regulate foreign commerce with the United States after those had ceased which had been instituted for its regulation as a belligerent right, etc. (Id., page 198.)

Of course, the practical means of enforcing the doctrines of this decision might be absent until Congress passed a law establishing collection districts and courts of justice, but such interregnum would necessarily be short. When peace is declared Congress would have no moral right to refuse to legislate on the subject. To refuse to do so would be almost equivalent to a renunciation of sovereignty. And when Congress does legislate, not only will the Federal tax laws take effect, but all the personal and civil rights of American citizens, as guaranteed in the Constitution, will have to be bestowed upon the citizens of the Philippine Islands.

NO SUCH THING AS A "COLONY" UNDER OUR LAW.

In American constitutional law there are but two general divisions of the public domain, and those are "States" and "Territories." "Colonies," so called, and "Territories" mean one and the same thing. There is no distinction between them. What you can not deny to a citizen of a Territory you can not deny to a citizen of a colony.

Mr. Chairman, why will not our imperialist friends who are so eager to hold distant peoples in subjection in accordance with the British colonial system—why will they not face the truth like men and admit that the Constitution of our country, framed by the fathers, sustained by the courts, and loved by the people, stands as an insurmountable barrier between their mad purpose and its lawful accomplishment? If they believe the people are tired of this charter of their liberties, let them seek to amend it, and bestow upon Congress the supreme power now wielded by the British Parliament. Then, and not till then, can they successfully imitate the British colonial system. For myself, I prefer the American system of home rule.

NO NEED FOR THE PHILIPPINES—OUR PRESENT DOMAIN.

But, Mr. Chairman, even if our organic law did not circumscribe the powers of Congress in governing American citizens, and even if Congress had the absolute power of the British Parliament to govern colonies at its will, still there are to my mind overwhelming reasons why we should not annex the Philippine Islands. What use have we for them or their inhabitants? We have the most splendid domain on earth, extending from east to west in the temperate zone, the natural habitat of the best of our race.

If every other continent and every island were forever submerged in the sea, such are the extent and variety of our natural resources, such are their undeveloped possibilities, such are the genius and industry of our people, that we could still move on to the consummation of a glorious civilization. I believe in the great brotherhood of man. I believe in widespread international intercourse. But I do not believe in suicidal ambition nor in contaminating our civilization with all the "lesser breeds" of earth. I do not advocate commercial isolation, but I do advocate political isolation as far as may be compatible with the claims of humanity upon us.

"DESTINY" AND PRESIDENT MCKINLEY.

Have we reasoned out the consequences of this annexation? Have we carefully calculated the results? Or are we being swept along like heedless, hot-blooded boys by the bullying spirit of conscious strength? Are we "drunk with sight of power" and trusting to some blind "destiny" to hold us in our appointed course as we go "spinning down the ringing grooves" of time?

A strange fatalism in political matters seems to have seized upon some of our people. Instead of using every effort of God-given intellect to discover the path of wisdom in accordance with the God-given laws of cause and effect, some of these modern prophets warn us against the folly and sin of resisting "destiny"—manifest destiny. Manifest to whom? What is this destiny? Easy enough to comprehend it after it has come; but who will reveal it before it comes? Any of us can get the hindsight, but who will get the foresight?

President McKinley has boldly ventured to draw aside the curtain of this mystery and to tell us exactly where to look for the premonitions of its coming. In one of his excellent speeches on the stump out West during the last Congressional campaign he is reported to have made this startling utterance: "The currents of destiny flow through the hearts of the people." Here, then, we have the key to unlock all our difficulties about destiny, especially political destiny.

Assuming that this language was intended to mean something, we must interpret it to mean that the wishes of the people are the evidences and the foreshadowings of destiny. And as we are warned not to resist destiny, each man should concentrate all his powers on the task of finding out what other people wish, and then if he be a public man and a leader he should instantly run to the head of the procession and never look back except to see if the people are following him. The trouble about such a doctrine is that pushed to its legitimate conclusion it degrades statesmen into mere politicians and inevitably makes arrant demagogues of them all.

We can not absolve ourselves from the obligation to use every faculty of our being to find out what it is wisest to do and what not to do. No one can draw the line between God's controlling providence and man's contributing agency. Old Puritan Cromwell had faith enough to say to his soldiers on the eve of battle, "Trust in God;" but his human wisdom compelled him to add, "and keep your powder dry." It was in this mingled spirit of reliance on self and faith in Providence that the wise men of earlier days laid the foundations of our Government, and in a like spirit we should endeavor to preserve and perfect it. If this perilous course of imperialism can not find its justification in the exercise of the reasoning faculties with which God has endowed us, we can rest assured that it is a good thing to let alone.

TRUE PRINCIPLE OF NATIONAL EXPANSION IS PERFECTION OF THE NATIONAL TYPE.

Mr. Chairman, there must be, in the very nature of things, some underlying principle, some controlling law of national expansion and growth, the observance of which insures development, and the violation of which entails decay. Let us search for that law, and when we have found it let us cling to it as we love our life. Every species of vegetable and animal life reaches its most perfect state when its food and environments are most in harmony with its peculiar type of organization. The same is true in a large sense of social organisms. Every nation should seek its development along the lines of its own highest type. The preservation and improvement of the national type is the supreme law of the nation.

The United States comprise, perhaps, a greater admixture of races than any other nation of earth. Still it is not going beyond the truth to say that we have a national type—a type which, if carefully guarded from vicious contamination, will gradually increase in the distinctness of its characteristics and in the qualities

of supreme manhood. Our people here at home speak a common language, the richest and the most vigorous of all tongues. We can find in the Bible the common source of all the important sects of religion among us. We all belong to the great Caucasian division of the human race, with the exception of the negroes, and surely we all realize that this exception is causing more anxiety than any other danger that now confronts us.

Will the injection of 8,000,000 Filipinos into our body politic contribute to the more perfect development of the national type of American citizenship? Diverse in language, unassimilable in blood, irreconcilable in religion, it would be the crime of the centuries to destroy the proud ideals of American manhood by such wholesale political inbreeding with this inferior stock.

OTHER OBJECTIONS STATED.

Mr. Chairman, there are many other phases of this question that I would like to discuss—the cost to our people of maintaining a great army and navy; the injustice of raising this immense sum of money under our peculiar revenue laws, which are based, not on property, not on ability to pay, but are based on the necessities of the people to consume, the Supreme Court having annulled the law for an income tax. I would like to point out the dangers involved in the unprecedented increase in the powers of the Executive, made necessary by the policy of imperialism; for our President will wield an authority more autocratic than the monarch on the throne of England.

I would like to expose the fallacy of the new doctrine that we must subjugate people in order to trade with them. I would like to speak of the national bad faith in seeking and accepting the assistance of the Filipinos to help us crush Spain, and then turning our guns on our allies to subdue them, thus robbing them of their cherished hopes of independence, for which they were fighting long before we landed on their soil. I would like to say something about the despair that would oppress the hearts of lovers of liberty the world over, if this great Republic, dedicated to human freedom, shall trample under foot its own historic ideals and begin now the military subjugation of other peoples.

These and other things I would like to discuss, but time will not permit.

WHERE WILL IMPERIALISM STOP?

But, Mr. Chairman, let us ask where is this policy of imperialism to stop? Men on this floor who voted doubtfully for Hawaiian annexation and proclaimed loudly that they would go no further are now getting ready under stress of party pressure to vote for annexing and subjugating the Philippine Islands. Where will they stop? We are told by those high in authority that the great Empire of China is soon to be partitioned out among the dominant nations of the world. Every argument now used to compel us to annex the Philippines will then apply with redoubled force to compel us to annex our proportionate slice of China when it shall be carved up according to the present programme. Nor will there be lacking men in authority in that day to advocate that madness and folly.

Only a few days ago a leading member on the other side of the Chamber charged one of his colleagues with uttering treasonable sentiments because that colleague had fearlessly condemned a policy of the Administration which he thought unwise and destructive of the best interests of the country. Has it come to this so soon that a Representative in this Chamber can not contend for the rights of the people nor criticize the course of the Administration in the conduct of a war without being charged with treason? Are these the first fruits of imperialism? If so, what will the full-ripened harvest be?

DEMOCRATS NOT RESPONSIBLE FOR CONTINUATION OF STATE OF WAR.

The attempt of some gentlemen on the other side of the Chamber to hold Democrats responsible for the present continuation of a state of war with Spain is an exhibition of clever audacity seldom equaled. They well know that the Paris treaty now pending in the Senate can be ratified instantly if the Republican Administration will only consent to the passage by Congress of a resolution declaring that it is not our purpose to forcibly annex those islands against the will of their people.

Such a declaration would at once put an end to the state of war with Spain and avert a threatened conflict with those rude but determined men who justly deserve the name of patriots, for patriotism does not wait on the refinements of civilization, but is often strongest in hearts that are nearest to the rugged realities of nature. The refusal of the Administration to make this declaration means either that this Administration harbors the purpose of forcible annexation or that it fears to have its own prestige impaired by accepting any amendment or suggestion that comes from a Democratic source.

If this latter surmise be correct, the narrow partisanship of the Republican party in that matter stands out in striking contrast to the splendid self-sacrificing patriotism of the Democratic party when we intrusted to your Administration the conduct of a war to free Cuba from the yoke of Spain, with all the glorious possibilities it involved.

THE CRISIS.

I trust that the President will yet yield to this most reasonable demand. For the crisis in the Philippine question has not yet been reached. It will be reached when the unhappy moment comes that American soldiers will be ordered to fire on patriots fighting for liberty as they want it, and fighting as justifiably as our fathers fought at Lexington and at Concord Bridge. Our people will applaud the courage of our soldiers who sacrifice their lives under orders, for obedience to orders is the first duty of the soldier; but the people will condemn the statesmanship that made such sacrifice necessary.

The Policy of Expansion—Army Reorganization.

SPEECH

OF

HON. WALTER P. BROWNLOW,

OF TENNESSEE.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 31, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. BROWNLOW said:

Mr. CHAIRMAN: The very large accessions to our national domain, made by our gloriously successful war with Spain, makes necessary an increase in our Regular Army, and in voting for the pending measure I deem it pertinent to make some remarks upon the general subject of territorial expansion now of chief interest to the American people. In fact, the ground of opposition to the increase of our military establishment is that there should be no increase in our territorial domain. And why, Mr. Chairman, should there be no such increase? Republicans and Democrats alike who oppose it base their opposition on the Declaration of Independence, that "all governments derive their just powers from the consent of the governed," and that the people of the Philippine Islands are not only opposed to being incorporated into our population, but are so ignorant that they would not be a desirable addition to it.

Of the truth of the statement that these people do not themselves desire the annexation of their country to the United States no evidence has been furnished other than the unsupported statement of Aguinaldo and a few other corrupt creatures who are known to have sold themselves and to have attempted to sell their country for Spanish silver. The Hon. George S. Boutwell, of Massachusetts, ex-Secretary of the Treasury under General Grant, appears to be the leader of the Republican contingent which opposes the incorporation of the Filipinos in our population for the reasons stated. The octogenarian politician becomes pathetic as he bemoans the disregard of Jefferson's sacred declaration that "all governments derive their just powers from the consent of the governed," and the unwisdom of incorporating into our population so ignorant a people as the Filipinos.

But Mr. Boutwell, as a member of General Grant's Cabinet in 1869, favored the forcible annexation of Santo Domingo to the United States against "the consent of the governed," and he did this knowing its population to be as ignorant as he now affirms that of the Philippine Islands to be. At an earlier period he favored the arming and equipping of 2,000,000 men for the invasion of the Southern States that the government of those States should not derive their "just powers from the consent of the governed," and he also advocated the disfranchisement of the then disloyal white men of the seceded States and the extension of full citizenship to all the colored people of the South, whom he then knew to be as ignorant and unfitted for citizenship as he now declares the Filipinos to be. Mr. Boutwell and other Republicans who now oppose expansion formerly sneered at Jefferson's declaration as a "platitude," "a glittering generality."

Our Democratic friends as a class (though there are notable exceptions, like Hon. Henry Watterson), under the leadership of Bryan and Cleveland, hold expansion to be "wrong in principle," and chiefly base their contention "on the consent of the governed." If that was ever anything but a platitude, what has been its true condition since the establishment of our Federal Union in 1789? The first man in all our history to disregard Jefferson's aphorism as to "the consent of the governed" was that versatile genius who can be quoted on both sides of almost every question which has ever agitated the public mind of this country—Thomas Jefferson himself. For corroboration of this assertion I refer those interested to a review of Jefferson's Diary, by Henry Lee, brother of Gen. Robert E. Lee.

The first expansionist this country ever knew was this patron

saint of the Democratic party, Thomas Jefferson. He annexed to our domain the Louisiana territory, out of which fourteen great States have been carved, thus more than doubling the area of the United States, though he said when he did so that it was, in his opinion, violative of the Constitution of the United States which he had sworn to support. Better lawyers than Mr. Jefferson did not believe it was unconstitutional. In thus expanding our territory Mr. Jefferson acted upon the theory that "the public safety is the supreme law," and his act reflects more glory upon his name than his authorship of the Declaration of American Independence, for had he never been born the Declaration would have been written, while had he not been President the Louisiana territory might never have been purchased, and all for the pitiful sum of \$13,000,000, which is not equal in value to the corn or wheat crop for a single year of one of the great States carved out of that territory.

After Jefferson the next most conspicuous expansionist in our history was another Democratic saint, Andrew Jackson, of Tennessee, whose hold upon the affections of the masses of his countrymen was even greater, to quote from Jefferson Davis, than was that of Washington or the scholar of Monticello. Of Jackson, Mr. Webster said, "That extraordinary man has the power of impressing even his passions upon his countrymen." This eminent Democrat was such an ardent expansionist that he not only favored an aggressive war for the annexation of Texas, but he invaded Florida without legal authority, drove the Spanish governor away, and subsequently expressed regret that he had not hanged him, and did hang two Englishmen, Arbuthnot and Ambrister, who were not favorable to American expansion. So arbitrary were the acts of this great expansionist he was publicly reprimanded by the timid Administration of James Monroe, though privately commended for his zeal and pluck.

If I had the welfare of the Democratic party at heart, I would advise it to follow the example of those great expansionists, Jefferson and Jackson, instead of Grover Cleveland and W. J. Bryan, who bear about the same relation to those great leaders that an old-fashioned tallow dip does to an electric light. Jefferson cared nothing for the "consent of the governed" in the Louisiana territory. He knew the large majority of its inhabitants were alien to our people in blood, language, and religion, and did not want to be annexed to the United States, and Jackson knew the same as to Florida. But they both believed the expansion they advocated would redound to the welfare and glory of their country and to the ultimate benefit of all its people, including those whose forcible annexation they advocated, just as President McKinley is assured will be the case relative to our new acquisitions.

The next expansion of our territory was by the same party which now laments the alleged disregard of the "consent of the governed" in the Philippine Islands, when, in the purely aggressive, and as General Grant in his Memoirs says, "unjust war waged against Mexico," under the Administration of a Tennessee President, California and other territory were forcibly annexed to our domain against the "consent of the governed." On the monument erected to President Polk, at Nashville, it is inscribed as the chief distinction and glory of this Democratic President that he had greatly enlarged the boundaries of his country. For fifty years the lately deceased leader of Tennessee Democracy, Isham G. Harris, had boasted in his campaign speeches that he belonged to a party which had more than doubled the area of the United States, and had arraigned Whigs and Republicans, whom he characterized as lineal descendants of Federalists, for opposing the acquisition of territory. The attitude of the leaders of the Democratic party of Tennessee to-day on this question would meet with the stern rebuke of Jackson, Houston, Harris, Johnson (during whose Presidential term the country was expanded so as to take in Alaska), and all of the old-time leaders of their party if their voices could be heard.

Such is the inconsistency of the Democratic party of Tennessee and the South on this question, that its course can be accounted for only on the theory that the party leaders have lost their wisdom as well as patriotism; that they have been wholly impracticable since they committed the stupendous blunder of precipitating their section into a wholly unnecessary war in 1860-61. As a party, South and North, Democracy has been impracticable "since James Buchanan sat in the White House like a bread and milk poultice, drawing secession and rebellion to a head." For more than a third of a century it has been the party of hobbies. Contrary to the teachings of its greatest leader, Andrew Jackson, it rode the hobby of secession until that hobby was shot from under it. Then, contrary to the precepts of Jackson and all its old-time leaders, it mounted the hobby of unsound money and is still on that hobby, insisting that a promise to pay is equivalent to payment, though it has been defeated on that issue in the Presidential elections of 1868, 1872, 1890, and 1896, and bids fair to be again defeated on the same issue in 1900.

As far back as 1880 it denounced the unostentatious citizen and plain Republican, Ulysses S. Grant, as an "imperialist;" it called him "a would-be Cæsar, seeking to destroy the liberties of his country," and, if true to its blundering antecedents since 1860-61,

it will continue to ride the hobby of "anti-imperialism" until it shall have been defeated in several more Presidential elections. The moribund old party has not been able to elect anybody to the Presidency for forty-three years except Grover Cleveland and he, as a rule, gave the grand bounce to the old party workers and threw himself into the arms of the mugwumps. The capacity of modern Democracy for blundering is so phenomenal that the Lord only knows when it will cease to ride its hobby, labeled for campaign purposes, "anti-imperialism."

The Hon. William M. Evarts relates that he visited the lunatic asylum in New York as a member of the board of examiners, and he and other members of the board were requested by the superintendent, who conducted them through the different wards, to say pleasant things to the inmates, that it had a good effect on them. Mr. Evarts approached a poor fellow sitting astride a narrow table, which he was belaboring with a whip, and said to him: "My friend, that is a fine hobby you are riding." The lunatic replied: "It is not a hobby, but a horse." Mr. Evarts said: "I thought it was a hobby." With an expression of incredulity and disgust the lunatic replied: "Why! You blamed old fool don't you know the difference between a horse and a hobby?" Mr. Evarts replied: "I fear I do not; will you please tell me the difference." "Why," the lunatic replied, "when a man rides a horse he can get off of him, but when he gets on a hobby he never can get off."

Our Democratic friends have mounted the hobby of so-called "anti-imperialism," and they will not dismount, if ever, until after they shall have been overwhelmingly defeated in the next Presidential election, which is sure to be the case. And Republicans like Boutwell, who are so grieved at the thought of governing the Filipinos without "the consent of the governed," are equally as inconsistent as latter-day Democrats. Mr. Boutwell and all his class ignored the "consent of the governed" when he and they advocated the invasion of Southern States by vast armies from 1861 to 1865. No sensible man can hold that the submission of the Southern States from 1865 to 1870 was by the "consent of the governed" or that the negroes of the Southern States were better prepared for incorporation into our citizenship than are the mixed races of the Philippine Islands for government under restrictions by the United States.

By force of arms the principle of power has been substituted, to a great extent, for that of "consent" in the future government of the States and Territories of the Union. The time was when the State of Georgia, through its executive and legislative departments, defiantly threatened to disobey a decision of the Supreme Court of the United States delivered by John Marshall, and when South Carolina's legislature passed a nullifying ordinance because the tariff legislation of Congress did not have its august approval.

Things ain't now as they once was ben,
Folks don't do as they used to did then.

The people have applied that other doctrine of the Declaration of Independence, which is "the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness."

It is a waste of time to argue on the theory of the "consent of the governed," which was the shibboleth of Jefferson Davis and secession, since the people by overwhelming majority are pledged to the supremacy of the Union. And Mr. Boutwell and his anti-expansion Republican supporters having applied the doctrine of force to all of the Southern States, it is hypocrisy in them, after sustaining this doctrine as applied to Southern States, to deny its applicability to the government of those whom Dewey conquered at Manila. The Declaration of Independence will not be destroyed, as warrior William J. Bryan and reformer ex-President Cleveland say, by compelling the corrupt Philippine leaders, like Aguinaldo, who have betrayed their countrymen for Spanish silver, to submit to the Paris treaty any more than it was destroyed by its author holding several hundred Africans in bondage or than it was destroyed by the capitulation at Appomattox.

War in each case asserted its supremacy over declarations of all kinds, just as it did over the Constitution of the United States when the slaves and other private property of Southern Union men were emancipated and appropriated by the Federal Government without compensation to their owners. Our Southern Democratic friends, after seeing their ordinances of secession forever annulled by war, ought to have discovered that "war legislates," and they and their Northern allies should explain to Aguinaldo and Agoncillo that it denies to the Filipinos their right to any other government than that of the United States; and if the dishonest adventurers in the Philippine Islands do not immediately—or sooner—leave the country or become good Americans and expansionists, President McKinley should have them arrested and tried by drum-head court-martial and disposed of as expansionist Andrew Jackson disposed of Arbuthnot and Ambrister in Florida. Modern Democracy has unexpectedly developed an admiration for Washington because he advised his countrymen to "avoid entangling alliances with foreign powers" upon the unwarranted assumption that our acquisition of territory by the conquest of Spain would result in

such alliances any more than it did by our conquest of Mexico. It is very rarely the case that our Democratic friends have the opportunity to quote approvingly any utterance of the "Father of our country," because that preeminently great and good man was a Federal Whig (as was the majority of the great leaders of our Revolutionary struggle, including gallant "Light Horse Harry Lee," father of Gen. Robert E. Lee) and opposed State rights, free trade, and other Jeffersonian heresies.

In 1860, when the eminent Tennessee lawyer and patriot, the late Hon. Return J. Meigs, personally appealed to the then governor of the State not to precipitate Tennessee into rebellion against the Federal Union, quoting to him adverse to such policy the utterances of the "Father of Our Country," Governor Harris bluntly told him that "all worldly wisdom was not born with George Washington and did not perish from the earth when he died." When Washington, one hundred years ago, advised his countrymen to "avoid entangling alliances with foreign powers," the western boundary of the Republic was the Mississippi River, and on the south the thirty-first parallel of latitude held us away from the Gulf of Mexico and of the mouth of the "Father of Waters."

The thirteen feeble colonies, by the aid of France, had just been freed from dependence on Great Britain. In the then feeble condition of the country, with a population of less than 4,000,000 people, it was wise to keep out of the strife between France and England into which Jefferson would have precipitated us. It would have been the height of folly, in our then feeble condition, to have taken part in the quarrel between Great Britain and France. That was Washington's reason for advising his countrymen "to avoid entangling alliances with foreign powers." There was no question of buying or conquering Spanish territory and no intimation given as to the perils of territorial expansion. Nobody in that day—not even Jefferson himself—imagined we would ever annex the Louisiana territory—three times as large as France and more than double the territory we then possessed. Nobody then dreamed that within a century the United States would have three great States on the Pacific Ocean, with numerous large cities, and with one city (San Francisco) five times as large as New York then was.

With our new possessions we are the nearest neighbors to China and Japan, with opportunities for selling to the people of the Orient the products of our farms, mines, and manufacturing establishments greater than all Europe possesses.

Mr. Chairman, we must pass this bill for the reorganization and increase of the Army or surrender the splendid opportunities we now have for increasing the sale of our products. There could be no palliation or excuse for this surrender, because the United States is the greatest power of the earth. It is the richest, the least indebted of all the great powers, and with a greater capacity for raising revenue than any other.

We have Hawaii and Porto Rico, will after a while be compelled to annex Cuba that we may redeem our pledge to the world to establish a "stable government" in that Gem of the Antilles, and we must keep the Philippines. It is Uncle Sam's real estate by right of conquest, and our Uncle Samuel will not haul down the "banner of beauty and glory" which he has unfurled there. It is our duty to civilize, educate, Christianize, and Americanize the people of these islands and to protect them from the tyranny of Spain or of the despotic Emperor of Germany, whose satraps have already too long and too insolently menaced us with their impertinent interference in American affairs in Samoa and elsewhere.

The inhabitants of the Sandwich Islands, Porto Rico, and the Philippines should be given such form of local self-government under American protection as we deem them fitted to digest and exercise, and the trade of all those islands will be of immense value to this country. Besides their possession opens to us a door to China, and with our good friend and ally John Bull, we will get our seat at the pie counter of the "heathen Chinese, whose smile is so childlike and bland," and get our full portion of that pie before it is all appropriated by Russia and Germany. I would not make States of any of these islands. Their inhabitants are not now and will not, perhaps, for generations become such citizens as should be allowed to participate in the government of our Union. And if they never do become such citizens, we can always govern them as colonies or dependencies after the model of that great nation, Great Britain, for which we should have the most fraternal feeling as our outspoken and sincere, if not only real, friend among the great powers of Europe during the recent contest with Spain.

The glorious results of that war have more than compensated the United States for all it has cost in blood and treasure in restoring most cordial relations between our Republic and Great Britain, to endure, I trust and believe, forever, and in restoring better feeling between the too long estranged sections of our own country.

For all these grand achievements too much honor can not be

given President McKinley. He will be admirably remembered by posterity with the great men who have occupied the Presidential chair.

Our great Presidents like Washington, Jefferson, Madison, Jackson, Lincoln, and Grant have been reelected. The only exceptions to the rule have been John Adams and John Quincy Adams, and neither of these would have been elected for one term by the popular vote, eminently deserving as they were. William McKinley will be no exception to the rule. For his grand achievements his countrymen will enthusiastically give him a vote of confidence and approval in 1900.

Army Reorganization.

The men whose grimy hands feed and clothe this Army are the only ones in our land to be crushed and broken by it.

SPEECH

OF

HON. CURTIS H. CASTLE,

OF CALIFORNIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 26, 1899.

The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. CASTLE said:

Mr. CHAIRMAN: The title of this bill states that it is to reorganize the Army, and for other purposes, but we are nowhere told what the other purposes are or what they are expected to accomplish. Probably it is as well that the mantle of obscurity hides from the public gaze its real purpose. No one objects to a proper reorganization of our Army, hence I desire to address my remarks to the increase of the Army under the plea of its reorganization and to the ulterior purposes which that increase is designed to accomplish.

This bill is not, as many suppose, an entirely new creation, called into being by the present exigencies of the country, and, as it were, forced upon Congress and the country as an emergency measure to preserve the fruits of our recent victory. On the contrary, it has been in process of evolution and has been awaiting a propitious hour for delivery for lo, these many years. The project of a large standing army has no true connection with the Spanish war, nor does it depend upon a colonial policy. It is for home use primarily and foreign conquest secondarily. The conjunction of the planets as prognosticated in the horologue of the priests who serve in the temple of Mammon is now favorable to its long-delayed birth.

In this auspicious hour, while the imperial power of Spain lies prostrate, never again to rise, while in the intoxication of glorious victory, and while the people are engrossed with absorbing questions growing out of the war, the settled policies of this Republic are to be changed.

The acquisition of foreign territory is not the occasion, but the excuse for establishing a great army. The conspirators who have projected this scheme are using territorial expansion as a stalking horse to foist an army upon an unwilling people, and they care little whether we retain the territories ceded by treaty or whether we give them their independence. Under the plea of military necessity, the necessity of holding under the cruel arm of military government the unwilling people of distant lands, we are asked for a great standing army.

This army is to be used ostensibly to destroy the liberties of an alien people and an alien race. Ostensibly, yes, ostensibly, but in reality to overthrow the liberties of the patient and long-suffering wage-earners of this country. A people who can sanction the destruction of liberty in a foreign land for the sake of exploiting and plundering its unhappy people are themselves unworthy of freedom. [Applause.]

Before our eyes plutocracy shakes the empty bauble of "commercial gain," and beckons us to go in and possess the Philippines and inherit them. But to do this the citizens of that country must be conquered by vast armies, and then held in subjection by soldiers quartered in their cities and be subject to military laws administered by military governors. Mr. Chairman, before we do this evil thing let us first burn every copy of the Declaration of Independence; let us raze the monument at Bunker Hill; let us destroy the tombs of Washington and Jefferson, and let us send back to France her noble gift of "Liberty Enlightening the World." Let us break down all the altars of Liberty, and in their stead erect the altar of Mammon. The great masses of our people

may be deceived for the time being, avarice may sometimes obscure their sense of justice, but when the sober second thought comes no friend of human freedom will volunteer to traverse half the globe to kill men who fought for freedom. The deed is unnatural; it is horrible, and the exploiting class who advocate it do so that they may destroy the liberties of the people of this country. No wonder that a regular army is required for this purpose. We are indeed unworthy of liberty if we are willing that the poorest of God's creatures shall be denied its beneficial and ennobling influence.

Let us analyze the bauble held up to lure us to our ruin and eternal disgrace. Let us expose the sham and hypocrisy and damnable treason of the men who urge this first great step in the descent to a lower civilization, a step which once taken can never be retraced and which will be succeeded by others in rapid succession, until we reach the depth of a most cruel despotism. Mr. Chairman, in the first place, have we a valid title to the Philippine Islands?

Our so-called title is a legacy to us from Spain, but Spain, the grantor, had no valid title to transfer. For three years past the natives have waged a successful war for independence.

The Spanish army had been defeated and driven back until they held only two strategic points of importance in the entire archipelago.

The natives had solemnly declared their independence of Spain and had established a de facto government, which held and now holds undisputed sway over 10,000,000 inhabitants and the entire country save the cities of Manila and Cavite.

Their gallant struggle for liberty long antedated our appearance upon the scene. Why, sir, this Government formed an alliance with the leaders of the Philippine army, and as a result of that alliance Manila fell. Blockaded by the American fleet by sea and besieged by Aguinaldo's army of 30,000 natives by land, the city surrendered to the combined forces. We knew at that time that Aguinaldo was fighting for independence, and we formed an offensive and defensive alliance against a common enemy. We had no expectation or desire at this time to claim sovereignty over that country. It was a later thought, and flashed athwart the covetous brain of William McKinley after the fall of Santiago. So far as my knowledge extends, the history of modern nations furnishes no parallel in perfidy.

England crushed India and Egypt, but she did not do it after forming an alliance with those nations. There is no parallel case, but there might have been one in our own history had the friendship of Louis XIV of France for the American colonies been as fickle and perfidious as that of the President of the United States for the Philippine republic. If, after the surrender of Cornwallis at Yorktown, France had purchased the English title to the American colonies for \$20,000,000, we would have a case in all points similar. Let us extend the parallel. Washington, before laying down his arms, would have advised the King of France that his battles had been fought for independence; he would have reminded him of the Declaration of Independence, and would have demanded of the French Monarchy a full declaration of its intentions toward the colonists.

If, then, the French Government declined to answer his questions, save in glittering generalities, and began vastly to strengthen its forces by land and water, while at the same time the official journals of France began denouncing him as a traitor, an ingrate, and a savage, and representing our fathers as wholly unfitted for self-government, the parallel would be complete. Under such circumstances and with such provocation Washington would have replied with shotguns, and the whole world would have applauded him for the deed. [Applause.] My friends, we not only propose to deny the Filipinos their well-earned liberty, but we are preparing to send over a horde of hungry exploiters, who, protected by the strong arm of the military despotism to be given those unhappy people in lieu of their own government, will seize all the natural resources of the islands, and under the guise of law, through charters granted by the Government, all kinds and descriptions of monopolies are to be farmed out to these ravening harpies. With the land sequestered and the instruments of production monopolized, the natives must ever remain a subject people, whose cry for liberty will be answered with the lash.

Aguinaldo does well to ask our intentions.

He asks of us a full, frank, and honest statement. If we assure him that our intentions are to establish a free and stable government and then retire, leaving the people to enjoy their well-earned freedom, we will require no army in the Philippines.

Have we given such a reply? Candor compels us to admit that we have not. The proclamation of the President was full of platitudes and glittering generalities. It was such a document as tyrants have issued heretofore when they wished to deceive. There is nowhere an intimation that we intend to withdraw our armed forces, but running through the whole deceptive document is the poorly-concealed intention of forcible annexation. The real answer to Aguinaldo's query is found in the body of this Admin-

istration bill and in the arguments of members who represent the policy of the Administration upon the floor.

So far as the original title of Spain to the Philippines is concerned, it was based upon force and fraud. The sovereignty of Spain was never acknowledged by the natives. Ten bloody revolts preceded the last successful one. Our title does not rest upon our conquest of those islands, but upon Spain's conquest. We are attempting to execute sovereignty on the fraudulent and discredited title of Spain. Spain lost her title as she gained it, and had no title to sell for \$20,000,000 or \$1. Our title to the Philippines must come from the natives who alone have title to their native land. Failing to receive title from the Filipinos by gift, it is now proposed to establish title by conquest.

How does this proposition harmonize with the principle that "governments derive their just powers from the consent of the governed?" Are we willing to acknowledge the right of conquest? Are we willing to advocate the right of forcible annexation of foreign soil and the establishment thereon of military rule? Are we willing to trample under foot the grand principles upon which our Republic was founded, and by adhering to which we have grown in dignity and power until our fame extends throughout the earth? If so, then the end of the republican government is near at hand. Once admit the right of conquest, that "might makes right," and put it in execution in the Philippines, and there is no longer peace or safety for weaker governments throughout the world.

If it is in consonance with the spirit of our democracy to acquire title in the Philippines by war, what shall restrain us from warring upon the republics of North and South America, or, in fact, seizing the territories of any weaker power? Who can measure the limits and boundaries of our greed when we are launched upon the sea of conquest, restrained by no precept of justice, "our hand against every man's hand, and every man's hand against ours?" Liberty can not breathe the air of injustice, oppression, and tyranny which will prevail under this policy, and live. It is folly to dream of maintaining our liberties and at the same time crush the liberties of other people. Truth forbids that we can claim the inalienable right of liberty in America and deny its exercise in the Philippines. No sophistry can make wrong right, or the worse the better cause. We are debarred from establishing a dual definition of liberty.

Truth is one and indissoluble, the same yesterday, to-day, and forever. She heeds not zones or boundaries, and her lineaments are the same in all climes and nations and tribes of men. Mr. Chairman, the American plutocracy has gone mad in its devilish worship of Mammon. On ten thousand hilltops the bloody altar of their god smokes with the warm blood of America's workers, whose groans and tears, whose poverty and wretchedness, whose despair and suicide, are the acceptable offerings at his insensate shrine. This modern Moloch now demands that truth and justice and humanity and free government and liberty and the civilization born of the equality of men, all shall be placed upon his altar to secure his approval and his smiles. [Applause.]

Mr. Chairman, having no valid title and not being able to secure one, save by absolute surrender of the principles upon which our own liberties rest, we might rest our case here, but I wish to discuss some other phases of this disturbing question. Suppose, for the sake of the argument, that the Philippines are as rich as represented. How will their annexation benefit the wealth producers of America? How are you, my fellow-worker, to receive your share of the imperial booty? How will you secure that for which you are asked to surrender all at home? Do you not know, oh, toiler of the earth, that you are destined to have no share, no portion, of this oriental plunder? It is not for you; no, not for you. Can you emigrate to this land of promise? If so, you will find it more densely populated than your own land. You will discover, alas, too late, that the lot of him who toils in the Philippines is deeper poverty than that from whence you fled.

If you emigrate with your family, you secure for them only sickness and death. Nowhere upon the earth does labor secure the results of its efforts. Should you fly to the Philippines to escape the cruel conditions from which you suffer at home, you pursue a will-o'-the-wisp, a shadowy phantom of the mind whose end is disappointment and death. Labor must first change the statutory enactments which shackle it and which enable the parasite class to rob it of its just earnings before it can hope to receive any of the prize money resulting from foreign conquest. These laws are not confined to any particular section of the earth. They are world-wide in their action and embrace both the production and the distribution of wealth. The monopolization of the natural resources of all countries and the monopolization of the instruments of production, together with the monopolization of the means of distribution, forever bar the poor from any portion, however small, of the stolen wealth wrung from the unrequited toil of subject nations. Reforms are said to move along the lines of least resistance. Here in this land of political freedom is destined to be fought the great battles for economic freedom.

We have begun the glorious struggle, and I call upon you, my countrymen, to let no paltry bauble divert your energies or turn you from these radical reforms—this greatest work of all the ages. Plutocracy beckons you to the feast of a ruined and enslaved people, but has provided no seat for you at the banquet board. You are asked to furnish a great army to provide the feast, which will be used, after the banquet is over, to fasten upon your arms the gyves of industrial slavery. You are not even offered a mess of pottage, but only the promise of one, for your freedom. Mr. Chairman, it is urged that our commercial interests demand the annexation of these islands. It is assumed by the imperialists that without annexation we can not participate in their trade.

Spain exercised sovereignty over them for two hundred years, yet she did not monopolize their trade. England, France, Germany, and Australasia divided the major portion of it. So it will be under our rule. Should we deny other nations the rights allowed by all civilized states we will be denied a portion of the China trade, which exceeds that of the Philippines tenfold. The cheapest merchant will inevitably hold their trade. Australasia will supply them with agricultural products of the Temperate Zone, because she is nearer than any other country and has cheaper transportation. Manufactured goods will be purchased from those nations who sell cheapest and purchase in largest quantity the products they sell. England heretofore has enjoyed the bulk of their trade and will continue to do so in the future.

Ah, my friends, this cry of commercial necessity is a false cry. It is not true that we must own these islands in order to trade with them. Trade is not dependent upon ownership nor has it any relation to ownership. Trade does not follow in the wake of conquering legions, but rather seeks the paths of peace. The ownership of the Philippines will not increase our trade with those islands, but on the contrary will diminish it by exciting in the natives a bitter spirit of hatred and revenge against us. If these islands are annexed and the open-door policy is denied, we will then be compelled to admit their products free into the United States. What are their staple products? Why, sugar, tobacco, and hemp. Our tobacco and hemp as well as beet-sugar industry will be depressed by competing with the cheaper labor of the Orient. This policy will injure our producing classes, develop retaliation by the other powers, and result in the ruin of our Oriental trade, now steadily increasing. Should we retain the entire trade of these islands it would be a mere bagatelle.

The entire imports last year were but \$10,000,000, and their exports \$20,000,000. Let us compare the increased expenses made necessary to secure this contemptible trade. The cost of this increase in the Regular Army can not be estimated at less than \$125,000,000 per annum, provided there be no war. In case of war, which now seems inevitable, no man can tell the amount of the increase. In addition to this expense will be the expense of a mighty navy, certainly not less than \$50,000,000 more. This does not include the vast increase in our Pension Department. Truly this is a fool's speculation.

Surely everyone must understand that in the last analysis labor pays every dollar of taxation, direct and indirect. My countrymen, we have come to the parting of the ways, and we must decide once for all whether we will go onward in the path of justice and honor and liberty, the path marked out for us by the fathers, or whether we will take the downward path, which leads to imperialism, despotism, bankruptcy, and national ruin. "Choose ye this day whom ye will serve, God or Mammon." The history of all the past admonishes us to shun the path of conquest.

There is no permanency in a power built upon force and oppression. "He who taketh up the sword shall perish by the sword" has ever been true throughout the ages of the past, and will ever hold true in the future. The American plutocracy, not content with eating out the heart of our democracy, not content with enslaving American labor, now comes before Congress with an effrontery born of contempt and demands that we plunge into the vortex of war and debt, that thereby they may be enabled to rob and despoil the workers of a foreign land. The wealth producers of America are insolently commanded by their despoilers to furnish mighty armies to subdue the wealth producers of other lands, that plutocracy may have other fields to devastate. Was ever insolence more unblushing? Was ever contempt and disdain more open? Will we obey? Will we forge chains for the free? Chains forged for an alien race will later manacle our children.

Toilers, be not deceived; these armed cohorts are designed for your own enslavement. The Maxims and Gatlings and serried ranks of infantry you are asked now to call into being will in due time hurl death into organized labor, and fasten the chains of industrial and political slavery upon you and your children. That "the path of glory leads but to the grave" is equally true of nations as of individuals. There can be no true national glory which excludes justice and liberty from its companionship. [Applause.] Mr. Chairman, since the vast majority of our citizens are to have no share in the rich treasures of the Orient, I wish to inquire what portion of our population is to be permanently enriched? This should be a superfluous inquiry.

It is superfluous to everyone who has studied the evolution of the parasite class in America. The power to farm out the monopolies of the natural resources of the island of Cuba has already been turned over to the Secretary of War. The solemn proclamation of the President that Cuba should have a free and independent government is violated both in letter and in spirit. Measures of so-called internal improvements are contemplated which will require years for their completion; and until these plans are worked out Cuba will be ruled by an American captain-general.

These plans provide charters for railways, municipal electric lines, banks, telegraph and telephone lines. Based upon these monopolies of public utilities, other syndicated and allied organizations purpose to absorb and appropriate the Crown lands, the iron, coal, and timber lands, and with the resources monopolized reduce the inhabitants into bond slavery. Under the plea of developing the country, watered stock amounting in the aggregate to hundreds of millions of dollars is to be issued; and then by means of enormous charges levied upon the people this watered stock is to be forced up to par with gold. In comparison with the taxes collected by the Spanish oppressor, these corporate taxes will be even more grinding and severe. After monopoly holds absolute political and financial control the question of annexation will be voted upon and carried by methods well known.

Such is the independence proposed for Cuba. Cuba is to be another Egypt, with the United States playing the rôle of England. Go read the mournful story of Egypt's enslavement and English tyranny and then ask yourself the question, Am I willing to help enact a similar story of unparalleled greed and fiendish atrocity? During the discussion of this question yesterday and to-day gentlemen eloquently maintained that the liberty-loving sentiment of our people would prevent repressive legislation in the conquered territory. We are a liberty-loving people—at least we have been in the past—but I ask in all seriousness how long will we continue to love liberty after we overthrow free government by military law and absolutism? How will the rule of an American captain-general differ from that of a Spanish captain-general?

Liberty, Mr. Chairman, is a goddess who abides with the sons of men so long as justice and fraternity preside over their councils; but when injustice and oppression hold the reins she wings her flight into the celestial regions. The hardy sons of republican Rome loved Liberty and erected altars in her honor; but when the cruel hand of Roman plutocracy decreed the policy of imperialism, Liberty departed never more to return. Rome, imperial Rome, sent her invincible legions to the Pillars of Hercules on the west, to the Euphrates on the east, to the boundaries of Scotia on the north, to the sands of Libya on the south, and yet throughout all that vast domain, embracing within its spacious confines the larger part of three grand divisions of the earth, there was no liberty.

Rome became a city of marble, of fountains, and of baths. Into her lap was poured a never-ceasing flood of gold. Rich argosies laden with the wealth of "Ormus and of Ind" turned their prows toward the City of Seven Hills. In the glorious triumphs of her generals were exhibited the plunder of conquered provinces and their unhappy natives chained to the chariots of the conqueror to make a holiday for the imperial city. Yet in this capital of earth's greatest empire, rich beyond the mind of man to conceive, the entire wealth was owned by 1,600 families. The remainder of the population, numbering 2,000,000 souls, were slaves and dependents, who drew their sustenance from and ministered to the pleasures of their masters.

When Alaric thundered at her gates he found only cringing slaves within. The wealth of imperial America, drawn from conquered lands, will be distributed as Rome's wealth was. With colonial conquests America's imperial plutocrats will grow richer and more insolent. With one sucker in the Philippines, one in Cuba, one in Porto Rico, and the remaining five in the United States, the wealth-absorbing octopus will grow apace as it did in the olden days of Roman expansion. The combined army of money mongers who have grown fat on special privileges, who have tied up our industries in pools, and trusts, and syndicates, these are the infernal scoundrels who now clamor for a hundred thousand soldiers. With a hundred thousand soldiers they hope to strike terror to the restless toilers at home and the rebellious natives abroad. These fellows bear the same relation to the body politic and are as necessary to its welfare as the barnacle on a whale's belly is to the leviathan of the deep.

Our governmental policies are now framed and dictated by these political barnacles; they alone have influence with the governing party. The great heart and body and soul of this nation are thrust aside, while the lawgivers bend their supple spines to listen to the clamorous cries of these foul social parasites. May the time speedily come when, instead of fostering these incumbrances, they shall be relentlessly scraped loose. Mr. Chairman, the commercial instinct has seized upon the managers of the Republican party; it has taken possession of them and entered into their very bones and marrow and blood. Like the eruption in zymotic diseases, it has passed through its incubating stage and now breaks forth upon the surface in unsightly nodules and loathsome pustules.

We might vary the simile and liken it to the elephantine must, which at certain seasons of the year seizes the mighty ruminant, causing him to run "amuck" among the denizens of the African forest.

This commercial furor which threatens to inaugurate an unjust war could be speedily cured by amending this bill so that no man would be accepted in the forces provided for except either he or his father were possessed of \$50,000 or more. The bill should be amended further that in case these rich men did not volunteer to carry "Old Glory" in the tropical jungles of Asia the ranks of the hundred thousand should be filled by a draft confined to this class, no substitution allowed. How many of these bellowing patriots will enlist to carry a musket in the Philippines? How many of these men who ask "Who will haul down the flag?" will volunteer to raise the flag over the yet unconquered Philippines? Echo answers, "How many?" Let us adopt this amendment, and a great quiet will fall upon the land. The President would be no longer goaded to begin hostilities against the forces of Aguinaldo, but, on the contrary, every board of trade and chamber of commerce and stock exchange would send hither in haste their representatives to urge the President to veto the bill they now so enthusiastically champion. By all means let plutocracy bear the brunt of this war against liberty!

Let their bones fertilize the soil they so fiercely covet! Instead of bellowing patriotism and waving the old flag at home, let them stand before the belching guns of the men whom they desire to rob and enslave. Let them in truth hold the country by right of conquest, but let them be the conquerors. Not one of these enemies of humankind has the remotest idea of standing in the muddy trenches, musket in hand, to battle with this renegade, this rebel, this savage, this traitor Aguinaldo, as they delight to call him. Ah, no! The poor of this land are the men expected to do this bloody work. The men who have been reduced to poverty by the financial laws forced upon them are now to come forward and enlist at \$16 a month to fight and die, that the men who profited by their financial ruin may now profit by their valor in enslaving new victims in distant lands. [Applause.]

If the ranks can be filled by American volunteers ready to offer themselves as victims to tropical fevers, it will be a strong argument that the promised prosperity is here. It is only in times of abounding prosperity and in the piping times of peace that young men will refuse steady employment at from \$20 to \$100 per month in a healthy climate and blessed with all the advantages of civil life to accept the position of a Regular Army private at \$16 per month, accompanied with all the degradation and suffering which such a life holds. Only in times of great prosperity will young men turn from the ambitions and hopes and desires which fill the mind of youth to accept a menial position illumined by no ray of hope for the future.

We have been told again and again by the advocates of a large army that it will be composed of the flower of our youth; that it will be made up of men who have drunk deep at the fountains of liberty, men who love republican government and who are imbued with high and lofty ideals of civil liberty. This is the kind of sophistry promulgated by the gentleman from Iowa, and is, to use a common expression, on all fours with his other statements. No man who has ever tasted the sweets of liberty will bury himself in the Regular Army as a private soldier until he has lost hope and courage and manhood.

When he has lost these attributes, he is then a proper instrument to overthrow the liberties of his country. Who will volunteer in this army? Surely not the sons of our farmers and mechanics, unless driven thereto by bitter poverty. Who, then, will make up the rank and file? Why, the "flotsam and jetsam" of the civilized world. It will be an asylum for the criminals of all lands and climes. It sounds well to praise the Army, but we must recollect that this army is not to be a volunteer army intended to go forth and fight the battles of freedom. This is to be the permanent occupation of the men who compose it.

They are not enlisting to fight the battles of their country. They are not anxious to fight at all; but if they must fight, they would as soon fight the citizens of the United States as anyone else. They become a part of the fighting machine and no longer think or act as individuals. "No danger!" shouts the sage from Danville. "Only the men who violate law are to taste its steel." And then the financial expert from Massachusetts defines these lawbreakers to be the ragged, hungry, and desperate strikers who prefer mob violence to peaceable starvation.

The men who violate the anti-trust law are excepted. The men who usurp the functions and prerogatives of government by organizing, arming, and drilling an army of Hessians for the purpose of hiring them out to private corporations in times of domestic violence to commit wholesale murder are not to feel the mailed hand of the military.

The men whose grimy hands feed and clothe this Army are the only ones in our land to be crushed and broken by it.

My friends, there is great, yea, certain, danger in a large stand-

ing army. "No danger to the liberties of the people" has been the plea of every tyrant that ever cursed the earth. Caesar subverted the Roman Republic and Napoleon the French Republic by the power of their armies. Let us not provide the instrument for our own destruction! Let us not place the power in the hands of our enemies to destroy us!

Mr. Chairman, in exact ratio as you increase the standing army of a country, you menace the liberties of the citizens of that country.

With a small army, we do not come in contact with the army officers often enough to beget either undue fear or too great respect for them; but let their number be multiplied tenfold, let the gold-spangled martinet be constantly before our eyes, and the importance of the plain citizen dwindles as that of the epauleted hero increases. They will monopolize the social life of our cities and by their arrogance, idleness, and dissolute lives corrupt the morals of our people. It should not be so, but it is true that the assumption of a prerogative by a class generally ends in the assumption being acquiesced in by the masses.

The man of blood arrays himself in gorgeous trappings and assumes the controlling power of the state and the humble citizen yields.

One by one his liberties disappear, his hardy virtues wither and die, his manhood and courage, finding no scope for their exercise, fade away, and their places are taken by effeminacy and cowardice. We learn to lean upon the men who are employed to protect us. Thus the masses sink to a lower level by abrogating their proper functions to a special class. If we wish brave, strong, chivalrous, patriotic citizens, let them retain in their own hands the defense of their homes and their country. We need no hired Hessians to fight our battles. If battles must needs be fought to maintain our liberties, or to give liberty to others, then let the freemen of America fight them. [Applause.]

As for me, I trust that the day may speedily come when sensible arbitration will settle international disputes; but until that day comes we will be infinitely better off with a small standing army. A large army has the same effect upon a nation that the possession of a pistol has upon a coward—it gets him into unnecessary trouble.

Let us adopt the military system of Switzerland and we will then need only enough regular soldiers to guard our arsenals and clean our artillery. Let all able-bodied men between the ages of 18 and 45 be organized into companies, battalions, regiments, and brigades. Let every man own and possess his rifle and military accoutrements; let them be properly drilled on stated days, and we will have the most effective army of any nation. With this system we can put into the fields on twenty-four hours' notice 5,000,000 men armed, equipped, and drilled. With this military system no tyrant could subvert or diminish the freedom of our people. No corrupt oligarchy could use the armies of the Republic to menace labor.

Mr. Chairman, I desire to call attention to the alarming condition of the national exchequer and the necessity of limiting expenses. Since July 1 the deficit has grown \$93,000,000, and is growing by leaps and bounds with every recurring day. Last year our entire expenses for the Army amounted to \$23,000,000, or a round \$1,000 for each soldier.

Let this bill become law and we will have an annual expense account of probably \$150,000,000. Estimating \$1,000 per soldier the amount would be \$100,000,000; but we must remember that the pay of the officers and men serving in the colonies is to be increased 25 per cent.

Officers are now to be retired on three-fourths pay with the rank above that which they hold when retired. The average cost of \$1,000 applied to our Army while stationed within our own borders, but now an enormous additional charge for transportation must be added.

Thousands of men will be carried across the continent and by ocean transport to the Philippines and West Indies. Our pension list now amounts to \$143,000,000 annually, and must rapidly grow in the future should we persist in garrisoning the cities and jungles of the Tropics.

In less than five years we can safely estimate our annual expenses for pensions at \$200,000,000. Our Navy must be increased ten, yea, twenty, fold, and its expenses must increase in like ratio.

The Nicaragua Canal and the great internal improvements of our harbors and navigable streams must be given up or be provided for by vast issues of interest-bearing bonds. The erection of necessary public buildings must cease, or we must vastly increase the tax rates.

The burdensome war tax must be made perpetual. Ah, sir, that is not all; new devices must be sought out to increase our revenues. We can no longer depend upon a tariff law, for an additional increase on imports will not increase but diminish the public revenues.

The internal-revenue taxes must be doubled and quadrupled to pay these enormous increases in the public expenditures. In

heaven's name when will our expenditures grow less? We are provoking war when we rush forth over the earth to seize what does not belong to us.

Suppose we are driven into a war with England, or Germany, or any of the great powers; where would our expenses end? Why, sir, we would come out of the struggle, whether victorious or defeated, with a debt which we could never pay, and the interest upon which would practically reduce every workingman in the United States to peonage. Our war taxes would then, after having increased tenfold, become a perpetual burden upon our industry for all time to come.

Let us face these problems of the future now. Let us set our faces as flint against all and every increase of the standing Army.

Mr. Chairman, these manifold burdens of debt will destroy our liberties as effectually as any overt act of violence by the Army.

Sir, I look upon bond slavery as the most obnoxious and hopeless form of servitude. From it there can be no escape, save by expatriation or death. Yet we are told by the agents of plutocracy in this debate that there is no danger. There are none so blind as those who will not see. There are none so deaf as those who will not hear. My countrymen, I beg of you to unseal your blind eyes and behold the awful perils just ahead! I beg of you to unstop your deaf ears and listen at the mad swirl of the maelstrom ready to engulf our free Republic! "No danger!" chant the agents of the despoilers as they urge us to plunge headlong into a policy destined, if accepted, to bankrupt our Treasury, impoverish our people, and destroy our liberties. Our people are not freebooters nor are they land grabbers. All our history demonstrates that we do not believe in taxation without representation. It demonstrates also that we will not tolerate the doctrine of doing unto others what we did not in 1776 permit other nations to do unto us. Aguinaldo and his copatriots should republish to the world "the Bill of Rights" adopted by our fathers. Standing by the right of self-government enunciated therein, the violation of which our fathers deemed just cause of war, they will command the sympathies of the world.

Mr. Chairman, has it come to the sorry pass that this great Republic shall no more in the future raise its mighty voice in defense of the oppressed people of the earth? Can it be that we, the lion among the nations of the world, no longer stand guard over human liberty? Can it be that we have joined the hungry pack of jackals and become the least, most cowardly, and mangiest brute in the pack?

How are the mighty fallen!

Can it be that in the closing days of the century we shall reverse every precept of the past, that we shall spurn the cardinal principles upon which our Government rests, and acting upon which we have grown to be the mightiest nation of earth?

If the forcible annexation of foreign territory be accepted as the fixed policy of this Government, our liberty dies. We can not destroy the rights of the people in the Philippine Islands without destroying them here. We can not strangle liberty there without strangling it here.

The moment that we deny in the Philippines the doctrine that governments derive their just powers from the consent of the governed, that moment we surrender the doctrine at home. The enemies of liberty have long waited for an opening to subvert free government.

They have been strengthening their position, hoping only for small and insidious advances upon what we had fondly believed an impregnable fortress. Their apparently easy victory has astonished the world. It has astonished themselves. The impregnable fortress bids fair to be taken on the first assault. Enervating luxury, unholy greed, and damnable treason have paralyzed the arms of the men whose duty it is to defend their country's honor and her life. [Applause.]

Mr. Chairman, I had hoped better things for my country. I had cherished the fond delusion that our vices would not prove fatal, but would be in time outgrown, and that a glorious career, more glorious than that ever enjoyed by any nation in all the past, lay open before us.

I looked with hope and longing for the twentieth century to usher in the dawn of the brightest day the world has ever seen.

I have dreamed in my hours of reverie that my beloved country would purge herself of the evil in her system, and that, purified and refined, all the dross and slag separated from her, she would stand forth the mighty champion of peace and justice and brotherly love—grand in her benevolence, divine in her justice, godlike in her love.

Alas! the dreams of a better era are fading, and seem destined, like an insubstantial pageant faded, to leave not a wrack behind. The beautiful dream of peace changes to a hideous vision of blood.

The sublime ideal of nationalized justice melts into the bloody hand of tyranny. The bright day of fraternity is obscured by the cold, cruel night of selfishness and greed. The banner of the free is slowly transformed into the black flag of the pirate, and upon our coat of arms the proud bird of liberty is transmogrified into the hog rampant.

May the God of our country kindle in our hearts the flickering spark of liberty, that civilization may not again be plunged into the darkness of the middle ages. I call upon my countrymen to put aside this temptation of evil, to turn aside from the path of conquest and tyranny. It leads to a low and groveling civilization, and is beset with national bankruptcy, unjust wars, misery unmeasurable, woe unutterable, and, at last, slavery and national damnation. Choose rather the path of peace, for it by our people will be ennobled, our Treasury will overflow with wealth. Its path is beautified by national virtue and adorned with temples of knowledge. Let us follow this path to the end that we may usher in an era for justice and fraternity and glorious liberty shall sit enthroned forever, while humanity freed from its swaddling clothes, foul with greed and the blood of our brothers, shall in their triune worship partake of their divine essence. [Applause.]

Army Reorganization.

SPEECH

OF

HON. FERDINAND BRUCKER,

OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 27, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. BRUCKER said:

Mr. CHAIRMAN: I shall not attempt to discuss the merits or demerits of those features or portions of this bill which deal merely with the reorganization of the Army. That some legislation along the lines of reorganization to bring the Army, in all of its component parts, up to the modern notion of organization, discipline, and fighting strength seems to be a conceded fact. There may be some difference of opinion as to some of the minor details of this bill. Not being a "military" man, I think it safe to leave those questions of detail to the judgment and conclusion of the "military" geniuses of the House. The feature of the bill to which I desire to call the attention of the House is that portion of it which increases the military establishment of this country in times of profound peace from 25,000 to 100,000 men. No reasonable excuse has been offered and none can be advanced why our permanent standing Army should be quadrupled.

Less than a year ago, when we were on the verge of war with Spain, and when we were enlarging and increasing the standing Army and preparing the country for both defensive and aggressive war, we, by a law of this Congress, limited the standing Army and fixed the maximum number at 63,000 men, and now, when that war has been fought to a successful issue and Spain has been driven from the islands of the seas and actual peace between the United States and Spain has been restored and all that requires to be done to technically and completely end the war is for the United States Senate to ratify, and which it should do at once and without further delay, the treaty of peace negotiated. While I do not approve of many of the provisions of that treaty—for instance, the assumption of Spanish obligations and the payment to Spain of \$20,000,000 for ceding title to that which she had not—yet, with all these objectionable features of the treaty, I would still urge immediate ratification and forever remove Spanish sovereignty, misrule, and tyranny, not only from the Western Hemisphere, but also over the Philippine Islands.

The question of the future disposition of these islands with me is an after consideration. We can much better meet and deal with that question after Spanish interference or the right to interfere has been completely cut off, as it will be by the ratification of the treaty. We will then have no one to deal with but the inhabitants of the Philippine Islands; and yet this question is one which should engage the combined intelligence and patriotism of the country. It is urged on the floor of this House by the friends of this measure that the only necessity for this large permanent increase in the standing Army is the use which they will be put to in dealing with the inhabitants of the Philippine Islands. It is conceded that, as far as the United States proper is concerned, our peace, tranquillity, and social order is not threatened in any way; that in the island of Hawaii, lately annexed to the United States, the civil authorities, aided by such local militia as they have heretofore had, are fully capable of maintaining peace and order there.

The island of Porto Rico, which comes to us as conquered territory, the inhabitants whereof met our invading army with hosannas and shouts of welcome, from all that can be learned at this time concerning that island not to exceed 3,000 regular soldiers would be required to do police or garrison duty to maintain order there. Why, then, Mr. Chairman, the necessity for this additional increase of 75,000 men to our standing Army? One would

think, from reading this bill and the expressions used in a debate in support of it, that this nation, instead of being a peaceable, peace-loving people, cultivating the arts of peace rather than of war, that instead of our striving for the millennium when we should beat our swords into plowshares and our spears into pruning hooks and learn war no more—that instead of that, Mr. Chairman, we were just now preparing to unloose and unchain the dogs of war, and were again to go into the killing business.

Mr. Chairman, I am one of a number of Democrats who voted to annex the Hawaiian Islands. I have always believed in a wise, conservative, systematic policy of expansion which would add and attach to the United States every inch of territory, including islands, in the Western Hemisphere. I believe that we not only have the power within constitutional limits to do so, but that it is our duty so to do from the standpoint of national defense alone. We should own every foot of territory in the Western Hemisphere where a fort could be erected or a gun planted. This not for the purpose of territorial expansion, but for the purpose of protecting commerce and for national defense.

The question of the forcible acquisition of the Philippine Islands, the question of colonial possessions, or "imperialism," is quite a different proposition. As a war measure, Admiral Dewey destroyed the Spanish fleet at Manila, and with the aid of Aguinaldo and the insurgents under him drove the Spaniards from these islands. We are under certain obligations to the world and to civilization, having driven Spain and Spanish authority from the islands, to remain at least until law and order shall have been restored and until some form of government is established capable of protecting the rights of the inhabitants of those islands. I should be in favor of this government remaining in the islands until this should be accomplished.

These islands should never be forcibly or otherwise annexed or made to constitute an integral part of the United States. We should simply retain Manila Bay or Harbor, and possibly with it the whole of the island of Luzon, for the purposes of a harbor of refuge and a coaling station for our merchant marine and fleet.

As to the balance of the islands, we should aid and encourage the inhabitants thereof in establishing a republic of their own, and permit them in this way to work out their own salvation and establish their own government. We should encourage and counsel these people; win their friendship and confidence, rather than send to the islands an invading army and attempt to forcibly subjugate them. For these reasons, stated somewhat in brief, I am opposed to this bill and shall record my vote against it.

Against Increase in the Regular Army.—"The Hearts of Americans are Our Ramparts."

SPEECH

OF

HON. THOMAS C. McRAE,

OF ARKANSAS,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 26, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. McRAE said:

Mr. CHAIRMAN: I am opposed to this bill because there is no necessity for an increase in the Regular Army. The claim that it either reorganizes or reforms the Army is not true. All of the defects in our present system are perpetuated and all of the evils now in the Army are enlarged and made permanent. It increases the permanent staff officers over 600 and enlarges their powers to the injury of the rank and file. The present deplorable condition of our Army, which has made it necessary to appoint a commission and organize a court-martial, should impel Congress to thoroughly reform the staff; but this bill does not do it. One of the great defects of our Army is that we already have too many officers, but this bill increases them over 1,600. The companies are too small, but this bill makes no material change in them.

If the persons appointed to these offices served either in the civil war or the late war with Spain, there is no age limit, and though they may be 63 years of age, could be appointed and immediately retired with three-fourths pay for life. It is a bill to enlarge the already large retired list, to make the Army top-heavy with officers, and to burden the people with unnecessary taxes. It gives us a standing army four times as large as we have had for the last thirty years and four times as large as we need now. Why, sir, we have but little use for an army, except for coast defenses and a few regiments on the frontier, and we already have enough for that.

What do we want with an army of 100,000 men? The war with

Spain is over, and all of the volunteers should be mustered out. We have always acted upon the theory that "the hearts of Americans are our ramparts," and I have always believed that we should only have an army sufficient to repel invasion and control the Indians. We are now at peace, and with such a glorious naval and military standing before the world as to insure us against invasion, if we will but adhere to the Monroe doctrine and be true to the Declaration of Independence and the spirit of the Cuban resolution adopted before the beginning of the Spanish war. There is but little danger from the Indians; certainly not enough to require us to increase the Army to 100,000 men.

Who will constitute the rank and file of this Army? Your sons and my sons, the sons of your constituents and of my constituents. What will it cost? The lowest estimate I have heard is \$150,000,000 annually. Add to this the sum of \$150,000,000 paid annually for pensions, and we have \$300,000,000 to be paid annually to support our military establishment. It is equal to an annual interest charge of 3 per cent on ten thousand million dollars, and is certain to lead to another bond issue.

The estimates that have come to the Appropriations Committee alarm me, and should alarm every man who cares anything for the oppressed taxpayers. I ask gentlemen to consider the condition of the people, who must pay the expenses, before they vote on this bill. I hold in my hand the official statement, which shows that for the next year this Congress is asked to appropriate the enormous sum of \$694,008,490.

It is shown that there will be a deficiency of \$150,000,000 next year, notwithstanding the already high taxes the people pay. The war taxes, supposed to be temporary, must be continued and largely increased if we embark upon the doctrine of expansion.

Who will pay these enormous taxes and the war debt, made and yet to be made, if this bill passes and the Philippines are annexed? The people who labor in the shop and on the farm—your constituents and mine, for, be it said to the shame of the Supreme Court, the incomes of the wealthy can not be made to pay any part of the public debt or taxes. When we add to the national debt the debts of the States, counties, municipalities, school districts, and the private debts of the people, we have a sum equal to one-half of the real value of all the property in the United States. These debts rest almost entirely upon the shoulders of labor and enterprise. They cling to the laborer as the old man of the sea to the neck of "Sindbad the Sailor." They gnaw at the vitals of the farmers like the vulture which fed upon the vitals of Prometheus.

History shows that nearly all nations have increased their public debts as their armies have grown. Let us examine the debts of some of the European nations. The debt of France is 31,094,356,844 francs, which is about \$141 per capita. The debt of Austria-Hungary is 6,430,810,000 florins, equal to about \$63 per capita. The debt of Portugal is \$480,000,000, and is equal to about \$117 per capita. Spain has a debt of about \$2,000,000,000, equal to nearly \$100 per capita. The British Empire owes about \$3,500,000,000, or \$90 per capita, and yet we are asked to adopt her colonial policy.

The debt of France alone is now six times as much as the debt of the United States, but it is only a question of a few years when that of the United States will exceed that of France if we can not defeat the demands of the imperialists. Does the Republican party desire that the people of this country shall become involved in debt and brought to the degraded condition of the Europeans? If so, then let them go on increasing the standing Army and the public debt. Some people assert that a public debt is a public blessing, but there is no slavery like it for nations or individuals. Jefferson knew the danger of it when he said:

We must not let our rulers load us with perpetual debt. We must make our election between economy and liberty or profusion and servitude.

There are but few colonial governments that are self-sustaining; none of them are profitable and most of them are run at great loss.

Great Britain loses annually about \$20,000,000 on nine colonies; France loses annually about \$4,500,000 on three colonies, and Germany about \$1,100,000 on five colonies. Spain, on her colonies, has lost not less than \$400,000 annually for many years. None of the West India Islands or of the tropical possession have ever paid expenses except Porto Rico and the Philippines, and in these the expenses are secured by the sale of monopolies and the conduct of lotteries. Deduct those items of receipts and the Philippines alone would have cost in 1897 the sum of \$2,223,000.

The monopoly of importing and selling opium alone in the Philippines is sold by auction to the highest bidder for three years. The present contract expires this year, and yields \$48,000 per month.

Mr. Chairman, if we try, can we assimilate the citizens of the Philippine Islands to our citizenship? I predict that if you annex the Philippine Islands and undertake to make them a part of this country they will produce more trouble than any question we ever had. We can do them no good at this distance, and they are certain to do us much harm if annexed forcibly. The inhabitants of the islands are composed of the most diverse mixtures of races, including Malays, Aetas, Negritos, pure blacks, Chinese, Japanese, Indos, Moors, Europeans, and mixtures of each with the others.

There are nearly as many different tribes as there are islands, and it is said that 500 languages and dialects are spoken in the islands at the present day. In the inaccessible parts of the islands there are still tribes of unsubdued savages, whose number is estimated at about 602,000. Fond of music, dancing, and amusements of all kinds, they are born gamblers, and cock fighting is their greatest passion. Every town has its cock pit, and in the largest the spectators may be numbered by thousands. This amusement is heavily taxed by the Spaniards, and advantage is taken of the taste for gambling by running a lottery for the benefit of the government.

The aggregate land area of the group is said to be 114,356 square miles, or an area equal to the Territory of Arizona. This would make the present population about four times as dense as that of the United States. So there is no room for the white race, even if they could live there.

According to John Foreman, there are in the interior two religions, Mohammedanism and Bhuddism. Polygamy is practiced in portions of the islands not directly under Spanish control. The War Department report upon the subject of religion and education is as follows:

"The Roman Catholic is the established church in the Philippines, which contains one archiepiscopal see and three bishoprics. Most of the ecclesiastical authority is in the hands of the various religious orders—Dominicans, Augustines, Franciscans, etc.—who are the real rulers of the country, as their power among the natives far exceeds that of the various civil and military authorities.

This power causes a great deal of jealousy, as is evidenced by the long record in the history of the islands of bitter controversies between the church and civil authorities. Do we want any such a population? Is it best for our own people that we have them? No; a thousand times no! We have already among us a colored citizenship aggregating 10,000,000. It is not necessary to discuss how they became citizens, but the problem is here and we can not get rid of it and must meet it bravely. It is a problem that came as the result of the war from 1860 to 1865, and will require much patient labor and thought. We have the Indian problem still unsettled.

With all these questions pressing upon us and demanding immediate attention, shall we deliberately annex to this country 10,000,000 more people infinitely inferior to either of them? If you believe that these race questions are easy of solution, advert in your minds to the late battle in the State of Illinois, in the town of Virden, and there in that great State, that gave the country the immortal Lincoln on an issue to free the black man, you will find the governor lending his influence and the power of the State government to prevent certain negroes from working in that State because they were to take the places of white men. I do not advert to this for the purpose of arousing any sectional feeling, but to warn you not to bring into this country a tropical race of people so different from ours in language, religion, and customs as the Filipinos.

We are boldly told by gentlemen on the other side that this increase in the Army is made necessary by our triumph over the Spanish army and navy; that we will need the additional soldiers in governing the inhabitants of Cuba, Porto Rico, and the Philippine Islands, and that the latter are to be forcibly annexed against their will. I deny it. These people have bravely and proudly earned the right "to institute new government, laying its foundation on such principles and organizing its powers in such forms as to them shall seem most likely to effect their safety and happiness," and we should give them a chance to do so.

"We hold," said the signers of the Declaration of Independence, "these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed."

Mark the language, Mr. Chairman:

"All men are created equal" and have the unalienable right to liberty—there is no exception against the Filipinos.

For the support of that principle the founders of this Republic in 1776 pledged their lives, their fortunes, and sacred honor, went to battle, and won the first fight for liberty. If it was the true principle of government then, it is now. If it was good for the American colonies in 1776, it is good for the Spanish colonies now.

Ah, Mr. Chairman, it was in defense of this principle of self-government that caused the United States to declare war against Spain, and in doing so then disclaimed any intention to exercise sovereignty, jurisdiction, or control over Cuba, and at the same time declared that she was, and of right ought to be, free and independent.

The President in a message to Congress said forcible annexation could not be thought of, for by our code of morals that would be criminal aggression. If it would have been criminal aggression to forcibly annex Cuba then, will it be less criminal to forcibly annex the Philippines now?

When did our code of morals change?

If the Cubans are and ought to be free and independent, then why should not the Filipinos be free and independent?

Why should we recognize the freedom of Cuba and deny it to the Philippines, when Admiral Dewey has officially expressed the opinion that the Filipinos are far superior in their intelligence and more capable of self-government than the natives of Cuba, and he says he is familiar with both races?

Gentlemen tell us that we can not avoid the responsibility which has come to our Government by the war.

Mr. Chairman, we perform our full duty when we expel the Spanish army from all the islands in question and see to it that the inhabitants of each group have the right to institute their own governments. If the treaty should be ratified, and we pay the \$20,000,000, as agreed by our commissioners, for the Philippines, then the United States should be reimbursed by the republic of the Philippines when established. If the President would announce such a policy and let it be understood that we are to have no forcible annexation, it would shed glory on our Government and remove all necessity for an increase in the Regular Army, and I believe that to be the only honorable thing for us to do.

It would be a burning shame to turn the war we waged for the sake of liberty and humanity into one for conquest and for the enrichment of syndicates and trusts.

The gentleman from Ohio [Mr. GROSVENOR] says that if we do not pass this bill, ratify the treaty, and assume control of the Philippines we will lose the glory of Dewey's victory at Manila. My friend, what more, what greater glory could come to our Government on account of that splendid naval victory than the birth of a new republic? [Applause.]

After the Republican party, which appeared to be eager when Mr. Cleveland was President to vote to recognize the Cubans as belligerents, changed front and refused in the House, after Mr. McKinley had been inaugurated, to let the Morgan resolution come to a vote, there was no honorable way to prevent the war. The efforts of some to saddle upon the Cubans \$400,000,000 of the Spanish debt as the price of liberty, followed by the destruction of the *Maine* and her gallant crew, aroused the indignation of the people and forced them to abandon the schemes of the speculators and to appeal to the strong arms of our patriotic volunteer soldiers and sailors.

Up to this time the recognition by our Government of Cuban belligerency would have secured the independence of Cuba without involving the United States in war.

The declaration of war justified our course upon the broad principle of humanity. It was right and at once touched the patriotic hearts of the American people from every section—North, South, East, and West. The call of the President for troops was promptly answered. The South, whose patriotism for party purposes had often been challenged, was quick to respond, and the world saw the sons of those who had worn the gray stand side by side with the sons of those who had worn the blue in battle array. Those who had led the Southern soldiery in 1861, then led our Army to victory against Spain.

Never in the history of the world did any nation win so complete and glorious a victory as did the United States? The naval achievements at Manila and Santiago stand out as the greatest ever recorded. The American sailors and soldiers are recognized to-day as the best in the world. We are proud of them. For more than a century we have had no large standing army and have become the greatest country in the world in everything that make a people great. "The number, size, and wealth of our cities; the marvelous increase in population; the measureless extent of our railways and internal navigation; our overflowing granaries; our inexhaustible mines; our countless inventions and multitudinous industries ought to make us proud of our country." But our greatest boast is and should be that we have elevated mankind and advanced political and religious freedom throughout the world by our example of free government.

Our fathers taught England how to govern colonies. We have taught Spain that she can not misgovern hers. Under the encouragement of our religious freedom, many of the churches of the world have abated much of their intolerance. By our example of free schools the poor have been educated and elevated. Under our system of representative government the people can protect themselves from corrupt, tyrannical rulers. Our institutions have breasted the tide of sectional hate and survived the shock of foreign war and outgrown the strife of civil war; and to-day all sections of our country are more firmly united than ever before. We are proud of our past and hopeful of the future, but the questions of imperialism and militarism now being pressed upon us will test our institutions as never before. They call for sound judgment and calm deliberation.

The war has brought the people of this country to a realization of a fact that has long existed, but not known to all: that is, the loyalty of the Southern people to the Union. When the Southern soldiers laid down their arms at Appomattox, they intended honestly and faithfully to live up to the agreement between Generals

Lee and Grant. And I do not believe there has been an hour or a minute from that time till now when they and their descendants would not have rallied as gallantly to the flag which floats over our Chairman's head as they did in the Spanish war of 1898. But the Northern people, many of them, did not believe this. The people outside of our country did not believe it. It shows, Mr. Chairman, that we may differ from the North as to the best policy to administer the Government, but we permit no section to excel us in patriotic devotion to the fundamental principles of our Government.

There shall be no more quarrels over the causes that led to the civil war.

If the South committed error, either in judgment or policy, all honest men from the North now admit that she thought it necessary to save the principles of the Constitution as she understood them. If the North committed error, either in judgment or policy, in preventing the withdrawal of the seceding States, we of the South now agree that they were equally conscientious in believing that to be the best way to preserve and perpetuate the Union. Thank God, we have both the Constitution and Union. Between the North and the South—

The chasm has closed, and we hear the refrain
From the hearts of the people, united and free,
Proclaiming this country as one shall remain—
Divided as billows, yet one as the sea.

[Applause.]

But, Mr. Chairman, while all this is true, we should not forget that danger to popular government and the common people always follows great military victories.

After the war of the rebellion, when the South was disfranchised and ruled by carpetbaggers, when the Republican party at the North had charge of every department of the Government, as they have now, led on by a great, successful military chieftain, boasting that they had saved the Union, freed the colored man, the attention of the American people was distracted from economic questions by the glamour of war. Then it was that the financial legislation of which our people have so long and so justly complained, including the demonetization of silver, was written into law. And, Mr. Chairman, one of the greatest dangers that now threatens us is that while the people are exulting over the glorious achievements of our Army and Navy the plutocrats, contractors, and money trusts will have other bad laws passed.

Indeed, sir, they have already secured a favorable report upon a bill that will retire the greenbacks, discontinue the use of the silver dollars, and make them all redeemable in gold. In short, it will give us only gold for redemption money and national-bank notes for circulation.

Mr. Chairman, if our forefathers were right in rebellion against the best government in the world 3,000 miles away, why should we not expect that the Filipinos will rebel against our Government 6,000 miles away from them? God forbid that this territory should ever be annexed and made a part of the United States. I tremble for my country and our institutions when such a suggestion is made.

My friends, it is not intended that those islands shall be admitted as States. Then must we hold them in subjugation as colonies? We will give them a carpetbag government. To those who do not know what that means I desire to read what Hon. J. S. Black said of the Southern carpetbagger:

"The extent of their spoliations can hardly be calculated, but the testimony of the carpetbaggers themselves against one another, the reports of committees sent by Congress to investigate the subject, and other information from sources entirely authentic make it safe to say that a general conflagration sweeping over all the State from one end to the other and destroying every building and every article of personal property would have been a visitation of mercy in comparison to the curse of such a government. This may seem at first blush like gross exaggeration, because it is worse than anything that misrule ever did before. The greediest of Roman proconsuls left something to the provinces they wasted; the Norman did not strip the Saxon quite to the skin; the Puritans under Cromwell did not utterly desolate Ireland. Their rapacity was confined to the visible things which they could presently handle and use. They could not take what did not exist.

"But the American carpetbagger has an invention unknown to those old-fashioned robbers, which increases his stealing power as much as the steam engine adds to the mechanical force of mere natural muscles. He makes negotiable bonds of the State, signs and seals them 'according to the forms of law,' sells them, converts the proceeds to his own use, and then defies justice 'to go behind the returns.' By this device his felonious fingers are made long enough to reach into the pockets of posterity; he lays his lien on property yet uncreated; he anticipates the labor of coming ages and appropriates the fruits of it in advance; he coins the industry of future generations into cash, and snatches the inheritance from children whose fathers are unborn."

Mr. Chairman, let us remember that our fathers were once colo-

nists only half the distance from the mother country that the Philippines are from us, and under the best government then known to man. They rebelled with a declaration of principles that has from that time inspired hope in the breasts of liberty-loving people throughout the world and aroused the fears of tyrants. This Government stands at the same time a living protest against carpetbag colonial government and a monument to continental self-government. [Applause.]

Let us not violate the principles of the Declaration of Independence in order to annex the Philippines or any other people.

"Home rule" is the bed-rock principle of our Government, that principle which has been and is the only hope of the oppressed of the world. "Home rule," the dearest words in the English language to free people and those struggling for liberty, that which brings government which is for the people right down to the people.

It originated here, but the grand old man of England took it up and aroused the spirit of liberty among the Irish, who still hope for relief. There ought to be no section of this country where the doctrine of home rule would not be cherished and loved. But if there is dissent from any quarter let it not come from our beloved Southland. We who know the evils of "carpetbag" government should not put it on other people. [Applause.]

Army Reorganization.

"I speak not of forcing annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression."

SPEECH

OF

HON. JOHN LAMB,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 26, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States and for other purposes—

Mr. LAMB said:

Mr. CHAIRMAN: No man on this floor feels a deeper interest than I do in the momentous and far-reaching questions that are now being discussed. I come from a historic district, and represent a people who know what war means, what suffering it entails, and what sacrifices it exacts. I desire to speak for them to-night, for I know their voice is against a large standing army in time of peace. They and their ancestors have never failed to respond to a call to arms when their country's liberties were at stake or their loved State threatened with invasion. Their capital city is full of monuments to the heroes who fell in the conflicts of the past, and they readily and cheerfully responded to the call for troops in the late war with Spain. I desire to emphasize the fact that their opposition to this bill is not based upon any lack of loyalty or patriotism.

The record Virginia has made in two wars will show this. The martial spirit of her citizen soldiers went very far in winning the independence of the colonies. They were in evidence on the heights of Bunker Hill and bore the hardships and trials of Valley Forge. They composed nearly one-third of the Washington army at Yorktown, while large numbers of her volunteers were with Greene in the South. The seeds of this first Revolution were sown by her Henry, and the fruit was constitutional liberty. For the defense and maintenance of this liberty Virginia soldiers gave up their lives and sacrificed their property in another struggle, and you may be sure that they will teach their children's children, to the latest generation, that the one revolution was as justifiable as the other, and will point with pride to the fact that for the former she furnished the immortal Washington and for the latter the peerless Lee. The descendants of the heroes, living and dead, who have emblazoned their names on our country's history, will ever look with a jealous eye upon every move to increase the standing Army of this country beyond the absolute necessity for preserving peace and order within our borders or controlling our hostile Indian tribes.

The passage of this bill will, without doubt, go far toward destroying the esprit de corps of the volunteer soldiery of our States. You and I, Mr. Chairman, can testify from our personal experience to the valor and efficiency of the volunteer soldier in the war between the States. The standing Army was a little over 25,000 men during that fearful struggle. The men who fought on either side and illustrated the valor of the American soldier were volunteers from the workshops and farms and counting rooms, who

freely gave up life on land and sea in defense of the principles for which they contended.

It is to this class of citizens that we must look for our defenders in the future, should we unfortunately become involved in war. Witness the alacrity with which the States of the Union answered the call for troops in the war just ended. The martial spirit had been fostered and kept alive through organizations in which the officers and men took pride. The States vied with each other in furnishing promptly their respective quotas, some of the poorest advancing to the General Government the money for equipping these men. In view of the fact that every war of any magnitude has been and every one in the future must be fought with this class of soldiers, what is the necessity now for quadrupling our Regular Army and increasing the burdens of taxation that are already bearing heavily upon the producing classes of our country? Let the advocates of this measure, born of a spirit of aggression and expansion, consider well and answer these questions in the light of the returning sober second thought of the American people.

To what use are these 100,000 men to be put? The discussion on this floor has shown that very few are needed to keep the Indians in check or to do garrison duty. The best evidence we have shows that ten or fifteen thousand will be ample for insuring peace and order in Cuba until her "stable government" is formed. It is not claimed that more than a few hundred will be needed in Porto Rico. What do the advocates of this measure propose, unless to transport these American soldiers 8,000 miles across the sea and hold the Philippine Islands in subjection, or forcibly annex them to this country? The experiences of English soldiers in tropical regions should deter us from such a course. The ruin and disaster and death that must come to our young American manhood is foreshadowed in the losses sustained by the Spanish soldiers in the island of Cuba, by our own around Santiago, and by the recollections of every Union and Confederate soldier here as he calls up the losses in our own armies from exposure in malarious districts in our own country.

A quartermaster of our own Army gave me only a few days ago a distressing account of a fine Michigan regiment of picked men who he supplied both on the outgoing and returning trips to and from Santiago. Though they did not reach that place in time for action, they were emaciated and weakened by disease, and many died from the exposure. Will these men or their neighbors and countrymen enlist in your Regular Army, to be transported 8,000 miles for the purpose of fighting the savage races of the archipelago, or, what is even worse, die from fever and disease, far from home and kindred, and without one such consoling reflection as soothed the dying moments of the Federal soldier who gave his life for the Union or the Confederate who made good his demand for constitutional liberty with his last drop of blood?

I ask the dominant party in this House, in all soberness and earnestness, why they are asking for 100,000 men in the Regular Army. What do you propose to do with them? The people of this country, who have a right to ask, want an answer to this question, for they must furnish the men as well as the money to equip and maintain them. They are already asking if there is not some ulterior motive in all this militarism. They can not believe that you are so intoxicated with the spirit of conquest as to attempt to hold by force 10,000,000 people who are incapable of assimilation with our race or form of government, for they have read in a message sent by the President to this House these words, and they furnish commentary on proceedings now taking place:

I speak not of forcing annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

Does the Administration still stand by this significant expression? Will that side of the House answer the question often asked in this debate, "What do you propose to do with these islands?" Will you dispose of them in accordance with our pledge to the Cubans, and, having delivered them from the rule of Spain, allow them a government of their own, thus leaving them to work out their own salvation? If you do this, where is the need for 100,000 soldiers?

The constitutional power to hold these islands has been denied here, and ably discussed. The descendants of the men who fought for seven long years in resisting the colonial system of Europe should scorn the suggestion, come from whatever source it may, that we adopt the oppressive methods against which our ancestors successfully struggled. But if the power to hold these islands was undoubted, we should oppose forcible annexation as unwise and inexpedient for reasons that are too apparent to admit of discussion. What will most likely come from annexation? Foreign complications, enormous expenditures, political and social deterioration, and in the end the destruction of our institutions. But for the fact that one half of our people are intoxicated with wealth or immersed in the struggle for commercial supremacy, and the other half embittered by poverty or weighed down by the burdens that unjust and discriminating laws impose, they would rise up in their might and pour such instructions on their Representatives

here as would reverse in short order the senseless clamor for an army of 100,000 men—a burden upon our taxpayers, a menace to our liberties, and a source of distress and suffering to thousands of homes scattered through this broad land.

I beg that you gentlemen will pause and reflect before you add these additional burdens upon our patient and long-suffering people. You should consult the interest of these toiling masses, and not be influenced, as many are, by the appeals of our merchants and exporters. These are counting on large profits to accrue through trade with the Philippines and China and Japan. For their information and yours let me say that Japan and China are now raising cotton and importing machinery with which to manufacture cotton goods. The export of the Philippines for 1896 amounted to only \$30,806,000. Suppose we had all of this trade. The profits would be insignificant. Then Germany and England have interests there. Hence, probably, the "open-door" scheme of which we have read. Besides this, the terms of the treaty signed at Paris accord Spain equal privileges with this country for ten years in these islands.

From the very best evidence we have, viewed from a cold commercial standpoint, this whole scheme is ill-advised and dangerous. Can you furnish one intelligent reason why we should leave the safe and prudent policy urged by the founders of this Government and recommended by their successors and embark in the colonial system that has been tried and proven to be a failure by other nations? One quotation from Washington will suffice on this point:

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible.

It looks as if in the whole of this transaction from start to finish we have disregarded the spirit of this teaching and plunged headlong into the vortex of European politics. Were these islands ten times more valuable than they are, and their inhabitants capable of self-government and in every way qualified to become American citizens, there would be no excuse for bringing them under our control and influence, for in the contests of the future, sure to come unless history is reversed, we would find it difficult to defend them from foreign invasion, and more difficult, possibly, to coerce them back into the Union should they conclude at any time to secede.

And what are the conditions in these islands? How many are there and what the character of their inhabitants? A statement in the consular report made last July by Mr. Hay, our ambassador to England, makes it number several hundred. They cover 16° of latitude, and are supposed to contain eight or ten millions of inhabitants. The natives of many of them are savages and have never been under Spanish rule. The following, from Mr. Hay's paper, will interest many:

On the whole, the Philippine nations find and take life easy. Their requirements are few. The sum of \$5 will provide a native household with a dwelling of its own and ample furniture. Under a genial climate, on a soil lavishly grateful for the slightest tending, by waters teeming with fish, they know naught of hunger, and have much time left for amusements, such as dancing and public rejoicings on the smallest occasions. Cockfighting is the national sport, and no mean source of revenue to the authorities. Almost every native owns a fighting fowl, which is as dear to him as her lap dog to a European lady. He carries it about with him, and bets his bottom dollar on its performance in the arena.

From an English author who lived many years in these islands I gather the following:

The native is indolent in the extreme, and never tires of sitting still gazing at nothing in particular. He will do no regular work without an advance. His work can not be depended upon. He is fertile in exculpatory devices. He is momentarily obedient, but is averse to subjection. He feigns friendship, but has no loyalty. He is daring on the spur of the moment, but fails in resolution if he reflects.

The same author says:

Of 10,000,000, 3,000,000 are savages, and within a half day's journey from Manila there are many well-known haunts of pirates.

Can we civilize and Christianize these people, as far from us as they are? Why should we constitute ourselves their guardians because Dewey demolished the Spanish fleet in the harbor of Manila and hoisted our flag there temporarily? If annexed, what of the children born after such annexation? The fourteenth amendment to the Constitution declares:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.

Every way we turn this vexed question is beset with difficulties. We have problems enough at home to tax the minds and vex the souls of the American people. It is our solemn duty to legislate for the suffering masses of the American people. The laborers, the farmers, the artisans, the great middle class of society throughout our States, if they were aroused, as they soon will be, on the dangers foreshadowed by this legislation now sought to be enacted, would soon hurl you from power and put in your places men who will enforce the Monroe doctrine of our fathers and leave the decaying nations of the East to their own "manifest destiny." [Applause.]

Do you ask what will become of our foreign trade? Our export

trade is now larger than Great Britain's, with her 300,000,000 colonial subjects. In the last eight or ten years ours has gained 20 per cent, while hers has lost nearly 5 per cent. Her colonial system has brought continual wars, and for fifty years she has not had three years of peace. Let us not, I pray you, adopt her colonial as well as her financial system. We are suffering, and will continue to suffer from the latter until American manhood, driven to despair, will arise in its might and right the great wrong. Have the nations of Europe found wealth and profit in their colonial possessions? Hear what Macaulay says on this:

There are some who assert that in a military and political point of view the West Indies are of great importance to this country [meaning England]. This is a common but monstrous misrepresentation. We venture to say that colonial empire has been one of the greatest curses of modern Europe. What nation has it ever strengthened? What nation has it ever enriched? What have been its fruits? Wars of frequent occurrence and tremendous cost, fettered trade, lavish expenditure, clashing jurisdiction, corruption in government, and indigence among the people.

What have Mexico and Peru done for Spain, the Brasils for Portugal, Batavia for Holland? Or, if the experience of others is lost upon us, shall we not profit by our own? What have we not sacrificed to our infatuated passion for trans-Atlantic dominion? This it is that has so often led us to risk our own smiling gardens and dear firesides for snowy desert and infectious morasses on the other side of the globe. This inspired us with the project of conquering America. This induced us to resign all the advantages of our insular situation, to embroil ourselves in the intrigues and fight the battles of half the continent, to form coalitions which were instantly broken, and to give subsidies which were never earned. This gave birth to the fratricidal war against American liberty, with all its barren victories, and all the massacres of the Indian hatchet, and all the bloody contracts of the Hessian slaughterhouse.

This it was which, in the war against the French Republic, induced us to send thousands and tens of thousands of our bravest troops to die in West Indian hospitals, while the armies of our enemies were pouring over the Rhine and the Alps. When a colonial acquisition has been in prospect, we have thought no expenditure extravagant, no interference perilous. Gold has been but as dust and blood as water. Shall we never learn wisdom? Shall we never cease to prosecute a pursuit wilder than the wildest dream of alchemy, with all the credulity and all the profusion of Sir Epicure Mammon?

Those who maintain that settlements so remote conduce to the military or maritime power of nations fly in the face of history. The colonies of Spain were far more extensive and populous than ours. Has Spain any time in the last two centuries been a match for England, either by land or sea? Fifty years ago our colonial dominions in America were far larger and more prosperous than those which we now possess. Have we since that time experienced any decay in our political influence, in our opulence, or in our security? Or shall we say that Virginia was a less valuable possession than Jamaica or Massachusetts than Barbados?

Now, Mr. Chairman, I have attempted to show the dangers we have to fear from a colonial policy and the utter uselessness of a large standing army unless we are bent on such a policy. Let us inquire who are the people demanding a larger standing army and what are the motives actuating them in this demand. The agricultural classes, about 45 per cent of the whole, are not demanding this. How many men on this floor have received letters from their rural constituents asking that the Philippines be held and the standing Army increased to 100,000? It is as true of the agriculturist to-day as it was when Tallyrand penned these words, that—

Agriculture is the basis on which all states are founded. It is, I admit with the economists, agriculture that forms the chief wealth of the social state, that teaches respect for property, and warns us that we are blind to our own interests if we interfere with those of other people; it is agriculture that clearly points out to us the indispensable correlation between the duties and the rights of men. By binding the tiller of the soil to his field, it binds men to their country.

With circumstances extraordinary and conditions abnormal surrounding and almost overwhelming this class for the past two decades, they have borne the burden and heat of the day and given their sons freely in the war for Cuban independence. This, too, when a very large number of them could not hope for any relief from the liberation of Cuba and Porto Rico, for the products of those islands will surely come into competition with their own, and when Cuba is a State, as she will be in a few years, the competition will be much greater. This class knows very well that the inhabitants of the Philippines will require very little of their products. It is very plain that they have had little to do with this political condition that you claim warrants the raising of 100,000 men, and will only have, with the laborers and wage-earners, the burdens of paying the bills.

The demand for this increase in the standing Army does not come from the laboring class, or any of their unions, so far as I am advised, nor yet from the wage-earners or merchants and tradesmen of our cities. From what class comes this demand? Whom do the great political organs, with the daily cry for more armed men and the retention of every foot of soil, represent? Their owners; the moneyed classes; the large exporters; some of the larger manufacturers; the enormous trusts, and all who are possessed with an inordinate desire to extend and increase the opportunities for money getting. These Alexanders must have other worlds to conquer. We will not object, provided they do no injury to the other classes.

The writer already quoted says of this Republic, in 1793:

A government that is a friend to liberty and averse to disturbing the tranquillity of the world must strive to act with moderation. An agricultural nation settles down; it does not wish for conquests. Commerce, on the other hand, always longs for increase of territory.

I need not discuss the question of expense attending this increase of the Army. This has been pointed out in many of the able speeches made here, and the intelligent constituencies we represent are painfully aware of the enormous debt, through war measures and pensions, now being heaped upon their already burdened shoulders, and are asking themselves, When will all this end? and What calamities are in store for the generation that will follow us?

We see the American ideal of national life, that "government derives its just powers from the consent of the governed" and "no taxation without representation," about to be exchanged for the European ideal of colonial conquest and power. When the ideal departs, the strength of national life gives way and decay and disintegration set in. To this fact all history bears testimony.

When Rome lost her ideal her glory departed. The energies of her trained legions were wasted in foreign fields, while her corrupt senators were rioting in luxury and worshipping at the shrine of Mammon. So long as Israel held firm to her religious belief and nursed her ideal, a few pursued a thousand and three hundred chosen spirits put to flight ten thousand; but when the great Nazarene entered the Holy City He found materialism enthroned in church and state, and with a bitterness of heart that has echoed down the centuries, a warning to nations, we hear Him exclaim, "Woe unto you, scribes and Pharisees, hypocrites! for ye devour widows' houses, and for a pretense make long prayer." We can easily trace the decline of the ideal in modern nations and the consequent loss of prestige and power.

Shall this young Republic make haste to follow in the footsteps of the decaying nations by departing from the teachings of her founders? We appeal to the members on that side of the Chamber, who are in control here, to stop this world-plundering, pledge-breaking, office-making, new-issue expansion career on which they are embarking, and heed the voice of warning that comes from the history of the past, as well as the admonitions that have from time to time fallen from the lips of the foremost men of our country. More than ten years ago, before the advocates of centralization had become so bold and defiant as we now find them, a distinguished son of Georgia, whose untimely death the whole country mourned, and whose beautiful life and inspiring utterances furnish a model and an inspiration to the youths of our land, uttered this thrilling language:

When Virginia ceded the vast Northwest to the Government, before the Constitution was written, Mr. Jefferson, in the second clause of the articles of cession, prohibited forever the right of primogeniture. Virginia then nobly said, and Georgia in the cession of her territory repeated, "In granting this domain to the Government and dedicating it to freedom, we prescribe that there shall be no classes in the family; no child set up at the expense of the others, no feudal estates established; but what a man hath shall be divided equally among his children."

We see this feudal tendency, swept away by Mr. Jefferson, revived by the conditions of our time, aided by the Government with its grant of enormous powers and its amazing class legislation. It has given the corporation more power than Mr. Jefferson stripped from the individual and has set up a creature without soul or conscience or limit of human life to establish an oligarchy, unrelieved by human charity and unsteadied by human responsibility. The syndicate, the trust, the corporation—these are the eldest sons of the Republic for whom the feudal right of primogeniture is revived, and who inherit its estate to the impoverishment of their brothers. Let it be noted that the alliance between those who would centralize the Government and the consolidated money power is not only close but essential. The one is the necessity of the other.

Establish the money power and there is universal clamor for strong government. The weak will demand it for protection against the people restless under oppression; the patriotic, for protection against the plutocracy that scourges and robs; the corrupt, hoping to buy of one central body distant from local influences what they could not buy from the legislatures of the States sitting at their homes; the oligarchs will demand it for the protection of their privileges and the perpetuity of their bounty. Thus hand in hand will walk, as they have always walked, the federalist and the capitalist, the centralist and the monopolist, the strong Government protecting the money power, and the money power the political standing army of the Government. Hand in hand, compact and organized, one creating the necessity, the other meeting it; consolidated wealth and centralized government; stripping the many of their rights and aggrandizing the few; distrusting the people, but in trust with the plutocrats; striking down local self-government and dwarfing the citizens, and at last confronting the people in the market, in the courts, at the ballot box, everywhere, with the infamous challenge, "What are you going to do about it?" And so the Government protects and the barons oppress, and the people suffer and grow strong. And when the battle for liberty is joined, the centralist and the plutocrat, entrenched behind the deepening powers of the Government, and the countless ramparts of money bags, oppose to the vague but earnest onset of the people the power of the trained phalanx and the conscienceless strength of the mercenary.

This striking language, Mr. Chairman, we might think was uttered but yesterday in this Chamber, so descriptive is it of a condition as regretful as it is alarming. What is the remedy? A return to first principles. Let us stand for the integrity of the States and the rights of the people. Let us put love of country above partisanship and respect the rights of men as well as the rights of property. Let us build upon the safe and sure foundation laid by the founders of this Government, and the Republic will endure, centralism will be checked, equality restored, better opportunities offered all classes of citizens, and our liberty saved. A year ago we declared to the world that we would maintain human liberty on the Western Hemisphere, and, marshaling forces on land and sea, we made that declaration good. No member on this floor then dreamed that a war, entered into for the protection

of the weak and the uplifting of humanity, would end in a demand for the ceding to this country of many islands 7,000 miles from our shores and the marshaling of an immense army to hold their citizens in subjection.

How could we have supposed such a thing when we solemnly disclaimed "any disposition or intention to exercise any sovereignty, jurisdiction, or control over said islands, except for the pacification thereof?" But this applies only to the island of Cuba, you say. What of the principle involved? Spain was holding the inhabitants of Cuba against their will and denying them the rights of self-government. Shall we hold the Philippines by right of conquest or purchase and deny them the independence for which Aguinaldo was struggling when we made him an ally and furnished him with arms?

In conclusion, Mr. Chairman, I will hurriedly sum up the arguments against this new-born policy. The Supreme Court of the United States, in *Scott vs. Sanford*, said:

There is certainly no power given by the Constitution to the Federal Government to establish or maintain colonies bordering on the United States, or at a distance, to be ruled and governed at its own pleasure. * * * No power is given to acquire a territory to be held and governed permanently in that character.

Do you reply, "The Federal Government has power to make war and conclude peace?" War must be made and peace concluded in harmony with the Constitution. Our Government, with its checks and balances, with its conservative divisions of power, is the best for peace and self-defense, but the worst in the world for "criminal aggression." We can not compete with the nations of the Old World in land grabbing and vassal ruling. It entails the burden of a military service far from our shores, and will necessitate a larger standing army than this bill provides for. It will require an enormous drain upon our resources and run our annual expenditures for war purposes to \$200,000,000. It will necessitate conscription to fill up the ranks of our soldiers, and thousands of our young men will be destroyed by disease far from their homes, and without glory or reward in their untimely deaths. It will bring entangling alliances and bloody strife. The nations of Europe are camped around the China Sea in arms, and if we go among them we must fight.

Let us not depart from all precedent and principle. Separated from the nations of the Old World, we can preserve a peaceful attitude, and in the conflicts sure to come, will find our citizens contented and prosperous while the European nations are warring with each other. Are you prepared to beat your plowshares into swords and your pruning hooks into spears? Are you ready to stain foreign seas with the rich blood of young America? When the most warlike nation of Europe is asking for a gradual disarmament, and philanthropists and Christian preachers everywhere, through peace conferences and from 10,000 sanctuaries, are preaching peace and good will among men, the American Congress is preparing to quadruple its standing Army and sending men and supplies to Asiatic waters bent on forcing the annexation of half-civilized and barbarous races who do not comprehend our form of government and can not possibly be controlled save by the strong arm of military power.

We want no military government, Mr. Chairman. We want the civil above the military power wherever the flag of our country floats. We oppose with all our might the adoption of any foreign policy that will likely involve our country in war. Virginia has been the seat of two wars. Her ocean-laved shores and battle-scarred hills cry out against war. Her fertile valleys, once swept with fire and sword, cry out for peace. Her noble youths, sprung from the loins of the men who belonged to that "incomparable body of men, the glorious infantry of the Army of Northern Virginia," would rally to a man in defense of our common country from foreign invasion or meet with alacrity any call to arms that might be made for services in this hemisphere. Our noble women have often sent their sons to battle with the Roman matron's injunction and will make like sacrifices again, save for wars of conquest and aggression. Let us, by word and act and vote, curb this war spirit. [Applause.] Have we not seen enough of war?

By Heaven! it is a splendid sight to see
For one who hath no friend, no brother there.

Ez fer war, I call it murder—
There you hev it plain an' flat!
I don't want to go no furdur
Than my Testament for that.

We are confronted with serious problems, Mr. Chairman. The safety and peace of our country hangs trembling in the balance. Upon the action to be taken here and in the other end of this Capitol depend the future well-being and happiness, not only of those we here represent, but of the generations that follow them. [Applause.] Let us decide wisely.

Once to every man and nation comes the moment to decide,
In the strife of Truth with Falsehood, for the good or evil side;
Some great cause, God's new Messiah offering each the bloom or blight,
Parts the goats upon the left hand, and the sheep upon the right;
And the choice goes by forever 'twixt that darkness and that light.

Army Reorganization.

SPEECH

OF

HON. JAMES COONEY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 25, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. COONEY said:

Mr. CHAIRMAN: We have thrown the Spaniard down upon his back, ducked him in the pond, rolled him in the sand, sunk his wooden toys, and, in a spirit of generosity that approaches contrition for the act, we have raised him up again, dried his clothes, brushed the dust from him, healed his wounds, fed him, hired a carriage and gently conveyed him home, and, as we parted with him, amid a confusion of regrets and adioses, thrust \$20,000,000 into his pocket. Such are the short and simple annals of a great war, honorable to us and profitable to Spain.

For, whatever may be said of her wounded feelings and lost sovereignty, the fact remains that Spain has come out of this war, if with more cuffs, yet also with more hard cash and more of her obligations assumed and liquidated than out of any enterprise she was ever engaged in since Pizarro and Cortes poured into her lap the plundered riches of the helpless people of Peru and Mexico. If she can now strike as successful a bargain with Germany for the Carolines, she will be in a better condition to face the future as a nation than she has been for three centuries.

Confined to her own peninsular home, far from that strife which now afflicts the life and destiny of the great nations, she can devote her time and energies to the happiness of her own people and to the cultivation of those civic virtues and economies which have slept in the cerements of these mediæval appendages which we have stripped from her, and in which our imperialistic friends are eager to wrap and lay away the Declaration of Independence and the Constitution of the United States. We have cut off from Spain every avenue of political activity but that one which invites her to national reformation; and if she can divorce herself from cruelty, ignorance, and bigotry, her future may at least be one of peace and safety.

What can we say about ourselves? We plunged into this war with Spain for the purpose of carrying independence to a million of her downtrodden subjects. She has responded by delivering 12,000,000 of such subjects over to us, with two island dependencies. I scarcely know whether to say that these people and their islands are now at our mercy or that we are at their mercy; whether they are to govern us in the future or we them; whether they will not be more potent in revolutionizing our institutions and policies than we will be in changing their political and moral life from what it now is.

These are questions that now stand trembling in the balance, and wisdom and folly are pulling with equal energy on opposite sides of the scales in which those questions are being weighed. I regard the pending measure as a beginning of a revolution in the policies of this nation compared with which the anticipated change in the life of these islands can never keep pace. Should I vote for this measure, I would ever afterwards regard it as a standing indictment against myself for high treason to the American people and their most cherished institutions.

I am opposed to the bill because it proposes to saddle the American producer with a permanent taxation of \$200,000,000, and with conditions and responsibilities that in the future may increase that amount beyond the computation of the living. I am opposed to it because it levies an army, not for the benefit of the American people, but to establish and maintain on the other side of the globe a stable government for the peace, protection, and interest of foreign nations. I am opposed to it because it establishes the nucleus of a great standing army to make war upon the wealth, industry, and institutions of this country, and I am, finally, opposed to it because its primary object is to take away the independence and freedom of a foreign people and establish among them a suppressive military government and call it American liberty and civilization.

When we undertook the liberation of Cuba, we pledged the nations in the most solemn form known to a people that we would not make that war a pretext or a means for conquest of territory. I voted for and took that pledge without any mental reservation, and with me that pledge must now be the polar star to direct my footsteps through the confusion and darkness that have been raised up around this subject. Neither the greed that springs from advantage, nor the pride that is begotten by success, nor the absolution from that obligation that is extorted through diplomacy from

the nations on the barbaric principle "that to the victors belong the indemnity of spoils" should allure us one step from that safe, civilized, and moral pledge and rule of conduct which we ourselves laid down at the time, and which was found necessary to unite the American people in the generous offer of their lives and fortunes to the cause of human freedom.

The imperialists declare that the progress of the war, the brilliancy and extent of our victories over Spain, have changed our relations to the world, have cast upon us responsibilities that were not thought of and which are incompatible with and superior to the pledge we made. We should therefore repudiate it or limit its meaning to words that kill the spirit of that pledge. This is a confession of ignorance that is not calculated to inspire confidence in the advice they now offer.

When we declared war against Spain there was scarcely an intelligent man in the country who did not know that our triumph would be fully as sharp, quick, brilliant, and as decisive as it was, unless Spain should back down from the fight. That triumph would have been much more quick and brilliant had the Spaniards responded promptly to our challenge, and not compelled us to run them down and shoot them like rats taking refuge in their holes. Instead of responsibilities falling upon us unawares, as imperialists now declare, they came to us by our invitation; we sought them, and went into the war with the avowed purpose of assuming responsibilities that were unusual to nations.

We knew that the Philippines existed, we knew where Manila, its bay, and the Spanish fleet were located, and the character and extent of their defenses. We knew where Dewey was, and that he was in possession of the only fleet situated to strike the first blow, and if that engagement surpassed our expectations in its brilliancy, its result was not different from what we believed when we went into the war. No place, no Spaniard, no responsibility was captured by us in the progress of that war that was not from the beginning within the reasonable expectation of all who knew the American sailor and soldier, the ships that carried them, the schools that taught them, and the institutions of freedom and liberty that nurtured them. That jingoism and imperialists would spring from out the war, that the piratical dogma of "grab all you can take and hold on to all you can grab" would be proclaimed by these men and advanced above any consideration for the moral policies and traditions of the nation, was likewise well known by all intelligent men when we first espoused the cause of Cuban freedom.

For these reasons the declaration of war was anchored upon the pledge of nonaggression. It was not only an earnest given to the world of our magnanimous motives, but likewise a barrier thrown up against the spirit of aggression and imperialism, which are the easiest and first impressions forced to the surface of public opinion by the passions that are aroused by war, and which if given loose rein would transform this young Republic into a wolf among the nations of the earth.

That pledge did not extend to Cuba alone, but to the whole war. Nowhere in the attitude of the American people or in the proceedings of Congress that led up to hostilities can there be found the faintest intimation that we were to wage a war of conquest and aggrandizement. On the contrary, the debates which preceded action were all characterized by eloquent disavowals of selfish purposes on the part of our Government. We were to seize no territory. We were to set the world a new standard in war. It was to be a war for humanity. The expenses and the sacrifice of life that would be involved in the struggle were to be a free-will offering to freedom, humanity, and independence.

That pledge, accompanied with so many fervent declarations of good faith from every quarter, is too sacred to be violated or pared down by a great people who despise treachery in the Spaniard and hold absolute good faith as a personal and racial virtue. Its violation would leave a corrupting influence on American character that would outlive our possession of such ill-gotten territory. A strict adherence to that pledge will lighten and simplify our responsibilities and direct us in the only sure and successful course to settle them. It does not involve the return of any of these islands to Spain, but commands the contrary. Let us apply the principle of protection and encouragement of independence, instead of forcible annexation. That is our pledge; that is our real responsibility; we have assumed no other. Forcible annexation is a knavish repudiation of our obligations.

The acquisition of the Spanish West Indies may be a desirable thing for the United States, but not without their consent. The acquisition of any people whose lack of consent has to be supplied with armed force can never be of advantage to this Republic. Porto Rico would give its consent had not the Administration preferred to take it without. If our pledge is faithfully kept with all the people we have released from the grasp of Spain, the time is not far distant when Cuba would be knocking at our door for admission. But, sir, if the policy of the imperialists prevail Cuba will never come to us only through chicanery or force, with her hands tied and her lips sealed.

With or without the consent of their people, I regard the annexation of the Philippine Islands as political poison that will strike with paralysis many of our most revered institutions and which will create others in their stead that will minister to despotism. The principle of expansion by aggressive annexation so fiercely contended for by imperialists has never existed as a policy of this country. Every instance of annexation creates its own policy and must stand on its own exclusive inducements. Is it practical, is it right, is it of advantage? All the annexations made heretofore have, to a reasonable degree, answered all these questions in the affirmative. The Philippines to a conclusive degree answers them all in the negative. All our former acquisitions have been through peaceful means, except in the single instance of Mexico.

But the war with Mexico and the war with Spain stand on very different facts and principles. In the latter we declared war with Spain and invaded her territories under a pledge of nonaggression. The war with Mexico was undertaken after a practical declaration of war by that country against us and an invasion of our territory by Mexican soldiers.

In that war we conquered Mexico by an unbroken series of victories that will live immortal in history, the brilliancy of which even at this time lights up the triumphal arch of the American Union with a glory that is imitated but not surpassed by those with which we have just conquered Spain.

The individual acts of heroism of our brave soldiers still live in every stream and valley of the southern Republic. They raised the flag on every foot of Mexican territory, and aroused the martial spirit and pride of our people to their very highest pitch. When Mexico submitted, our flag was withdrawn, and the cession of territory that followed was of land practically uninhabited, contiguous, and in every respect advantageous to this Republic and its people. That accession of territory fixed the boundaries of the two countries in such a manner as to avoid friction, misunderstanding, and war in the future.

There is no parallel nor precedent in any of the annexations of the past for the annexation of the Philippines. Those annexations were made on a continent that was new; among governments just springing into life and reaching out for existence; where boundary lines were unsettled, unknown, and chiefly contended for between man and wild beast. Those acquisitions were necessary to give ample room to the growth and energies of this new American nation, to give it size and strength enough to preserve American liberties on this continent, to meet the wants of the flowing tide of immigration that had been invited and was then setting in from Europe, to make us confident of the future, to lessen the boundary of our contact with foreign nations, and to place the country in a position less easy to attack and less inviting to invasion by an enemy. We settled our territorial differences with England on the northwest and northeast. We eliminated France as a neighbor on the west, Spain on the Gulf; we drove Mexico from our doors on the Pacific and curtailed our contact with her on the south by a natural and well-defined barrier.

Every acre that was annexed placed us designedly nearer that position which has been the source of our greatness, and which the expansionist now ridicules as the "hermit position." The territory thus annexed was comparatively unsettled and within the temperature that invites the American citizen to dwell in and make it his home. It rivaled in extent the empire of the Caesars, but did not require for its defense and protection the addition of a single soldier to our standing Army nor a single battle ship to our Navy that was not necessary before its acquisition. Chief among the reasons put forward at the time for these acquisitions was that they would make unnecessary the maintenance of a large army and navy, which would be required if we permitted rival nations to rim us around on all sides.

Our history has justified that reason and has established a policy with reference to our Army and Navy that is as thoroughly American as the Monroe doctrine. This policy has given to us among the nations a position that is remarkably unique. It has turned the sources of the nation's strength and wealth from great armaments and set them living and throbbing in the heart of the individual citizen. It defends him from impoverishment by taxation and has left him free to grow wealthy, intelligent, strong, resourceful, and self-helpful in emergency.

A people like that are always ready to defend their country, and the resources and preparations for conflict arise from their intelligent "initiative" as from the stroke of the magician's wand. That policy has been pursued by every Administration down to the present one, no matter what its political faith. It has won for us the admiration and good will of all the world, and by its pursuit we have won those engagements with Spain, the splendor of which has so bewildered many good men that they appear to find no other way to express their fervid appreciation and patriotism than by smashing the power and overturning the policy by which we acquired those victories. They desire this nation now to stretch forth its bared and puissant arm among the great nations and strike the world with its inherent power.

Goldsmith tells of a people who inhabited a walled city, by means of which they were able to repulse and vanquish all the enemies who came against them. Repeated victories at last begot pride, and to show that their walls added nothing to their strength and bravery they leveled them with the ground, and defied the world, if it could, to come and whip them. The world came and whipped them. I believe in letting the great moral policies that were planned by the founders and erected with the Republic stand forever. Under their shelter we have met and vanquished every foe.

The annexation of the Philippines is not only the annexation of territory, but likewise of 10,000,000 people who have no appreciation of our institutions. We should remember that this Union is not only a Union of States, but likewise a Union of mixed peoples who are now undergoing the process of assimilation and homogeneity through the pressure of American institutions on their life. Wisdom but recently raised its warning finger and admonished us that those institutions should not be crowded with too much raw material, and we drove out the Chinaman, reformed our immigration laws, and were proceeding to make those laws more strict when this war came on.

Why such a sudden change and desire to annex 10,000,000 people who will not be able to read the Declaration of Independence before Gabriel blows his horn? Their rights may be restricted, but once annexed, there is no power on earth that can prevent them from coming here, affecting the character of American citizenship, competing with American labor, and lowering the standard of wages. We have not yet been informed what position these people will occupy toward our Government—whether that of citizen or subject; whether colonial or Territorial.

These are questions that should be settled before annexation and not be left for future antagonisms and strife. The American people are for freedom and independence. The Declaration of Independence, the Constitution of the United States, and the feelings that accompany the flag are still potent sources of sentimentality that will reach as far as that flag extends. The old dogma that this Government can not exist half free and half slave will revive and will again be found as applicable to the condition of these people as it was in former times to the condition of the negro. The existence of two or more classes of people with distinct and separate rights is a constant menace to peace in a government of as large liberty and public sentiment as ours.

When this Republic was formed, the negro was an integral part of its population. No class or party was responsible either for his presence or his position. By what years of political agitation, strife, and bloodshed he was made a citizen, with all its privileges, is well remembered. The future is as pregnant now as then with the occasions, circumstances, and the people that will push the agitation for the freedom and rights of these islanders, and, if necessary, to the same bitter end. The American eagle—symbol of liberty—will not nestle under its protecting wings a brood that is less than American. The American flag will not long be permitted to wave over a people that are subject to its stripes but not counted in its stars. The great duty that will arise above all fleeting questions and responsibilities is the one to which this nation is dedicated, "That government of the people, by the people, for the people, shall not perish from the earth."

The functions of our Government are all formed for liberty and the equality of all men before the law. To govern these islands as a colony we must change all our conceptions of liberty and free representative government. We must add new and despotic powers to the Federal Government. The administration of those islands must from the very necessities of the case be permanently placed in a bureaucracy, or a class beyond responsibility to and interference by the people. It does not mean government by or at the will of the people, but the contrary. It does not mean government by or at the will of the American people, but the contrary. It does mean, however, government at the expense of the American people.

There is beneath this delirium of imperialism a large element of greed and undefined hope for gain. Distant riches always appeal most strongly to the imagination of the adventurous, but the wealth that lies in the Philippines for the American people, like the gold in the fairy tale, will, when daylight comes, change into dross and ashes in their hands. We propose to pay Spain \$20,000,000 for 10,000,000 people that she has no right to sell nor we to buy. At the least calculation, we will have to pay \$100,000,000 to sustain the bureaucracy and military establishment that conducts government there.

What American citizen can figure any profit or return to himself for this taxation on him? He can not find labor nor a home-stead there; their products will not come to him free nor one cent cheaper than now; his products will find no better or greater market there. The few products of the farm that the Filipinos desire to import are furnished them from Australia, China, and India much cheaper than the American farmer can ship and sell them there. The "open-door" policy which the Administration

proposes to adopt in these islands puts all nations on equal terms with ourselves for the profits of trade and commerce. As a recompense, however, for this generosity on our part, we will be permitted to enjoy a monopoly of the government expenses.

The American citizen who expects to make one cent out of the annexation of the Philippines must put himself in the bureaucracy or "ring" that will have the "running" of the colony, be appointed military or civil governor, a judge, a targaratherer, enlist in the army or navy that are to hold the colony in submission, or be a rich capitalist and procure privileges and franchises. All others can remain at home and reap the pleasure of reading "the annual appropriation bill for the maintenance of our colony in the Philippines."

Edward W. Harden, who was sent to the Philippines by Secretary Day on a special mission, in his report to the latter says:

There is [in the Philippines] only one railroad, of 119.3 miles. The telegraph and postal systems are crude. There are probably no worse roads in the world. While money is collected each year for road making and bridge building, it is invariably diverted from its legitimate purpose. * * * The question of labor is a serious one. The natives are not to be depended upon as laborers. They work only when they see fit, and their work is far from satisfactory. * * * The income of the islands for the year ending June, 1897, was \$17,000,000; the exports, \$41,000,000; and the imports, \$16,000,000.

From this report it will be seen that while the islands may be rich in natural productions, the people are poor, their necessities few. Like all tropical people, they labor but a few hours in the day, if any, and the products of their labor are diminutive when compared with those of white people living in a temperate climate. The revenue produced must of necessity be spent in internal improvements and local subjects, leaving nothing for the support of the military establishment and government we propose to force upon them, unless we maintain the same old Spanish system of robbery and extortion. It is plainly visible that if we were to "grab" the whole revenue, and also the exports and imports of these islands, they will not be enough to pay the expenses of our government there over an unwilling people.

Will American occupation and rule be more successful than that of the Spaniard in increasing the revenues? I think not. One-half of that seventeen millions of revenue was raised from lotteries, gaming, and by levies made indiscriminately upon the virtues and vices of the people, and extorted from them by the lash, the thumbscrew, and every species of villainy that is repulsive to American methods. Will a more humane government encourage the people to greater exertion and greater production, and therefore to a condition to yield a greater revenue? Not to a degree that will diminish the expenses of a foreign government.

God has bestowed His gifts with a just and impartial hand. To no people has He given so lavishly that they can with reason and justice supply their own wants and contribute to the profit of a foreign government without impoverishment to themselves. If He has given to the Tropics greater fertility and easier productiveness than is to be found in temperate climates, He has correspondingly limited the intelligence, wants, energy, and ability for production in the Tropics.

It has been demonstrated by long experience that the natives of the Tropics will not work more than enough to supply themselves with the absolute necessities required for an existence that has few wants and less ambition. Tropical colonies have proved failures everywhere, except in a very few instances where native labor has been supplanted by coolie labor by the government in control. This, however, is a species of enforced slave labor that will not be tolerated under the American flag. [Applause.]

Besides the cost of a hundred millions for our Philippine colony, we must not overlook the constant increase that will be produced in the dependent pension list by death and disease of every hue and color that lie in wait for the white man in these tropical countries. It is estimated from French and English experience that one-half of the soldiers they send to tropical colonies die or become disabled. Can we expect greater immunity? Our pension list will be constantly swelled by new recruits, and the decimated ranks of our Army will have to be perennially supplied from American homes. The following are the casualties of our war with Spain, as reported to the House Committee on Invalid Pensions:

Officers killed.....	26
Enlisted men killed.....	257
Officers wounded.....	113
Enlisted men wounded.....	1,467
Total killed and wounded.....	1,863
Death from disease—	
Officers.....	111
Men.....	4,854
Total death from disease.....	4,965

That is the record of a few months. It leads us to believe that

the army to be created by this bill is not for peace, but for a desperate struggle with grim death and disease on a battlefield devoid of glory, and where no flag of truce comes until it is waved by the angel of death.

Annexionists persuade themselves that the Philippines will bring us wealth through the consequent expansion of our commerce, but when asked how, where, and when they do not tell, but reply that we must have a wider Monroe doctrine, that the United States must assert its rank, have a large army and navy, take a hand in the quarrels of the great nations, and kick the hinges off the doors of the world's markets. In the same distempered logic President McKinley, in a speech on his recent trip through the South, undertook to answer these questions when he said: "Do we need a navy to defend our commerce?" and when answered "Yes," he replied: "Then we need a commerce for our Navy to defend!"

The fact is there are no doors closed to American commerce. Our isolated and independent position, our refraining from entering into political connection with foreign nations, have gained for us the respect of all and given to our commerce the markets of all. Their markets have restrictions and regulations, but so have our own. A large army and navy can not open up a single market for our products; for an unwilling market opened at the cannon's mouth is not deserving of success, and never has it. The expense of keeping such a market open is always more costly than profitable. Such a policy, I admit, appeals strongly to the imagination, but its results are only wrecks that fill the pages of history with warnings.

An argument advanced for our success in a colonial policy is based upon our racial connection with England, "a country having a conspicuous genius for such a policy." But England is yet on trial, her success is not admitted, and by some very eminent authority it is absolutely denied. Macaulay, the English historian, has denounced the colonial system of his country as the greatest curse of modern Europe, which has brought her neither true strength nor riches. Gladstone repudiated the policy, but it had so fastened itself upon the country that he could neither overthrow nor correct it.

Mr. J. A. Hobson, an Englishman, writing in the *Contemporary Review* about a year ago, with the facts and figures in the case, exposed the fallacy of England's trade expansion keeping pace with her territorial expansion. He proved that during the last forty years England's imports and exports have increased by peaceful means with foreign countries, while both have declined within her territories; that during the last twenty-five years her trade has fallen off \$25,000,000 with her colonies and increased \$50,000,000 with outside countries, while at the same time she was actually increasing her colonial territories to the extent of 4,300,000 square miles.

The argument that the possession of the Philippines will give us a position in the world to assert our rights and pluck from trade our due share is but a pretense. To hear imperialists talk one would think that our past history has been one of kicks and cuffs received from the nations with unbecoming submission, and that it is their peculiar mission to arouse us to a sense of our dignity. Nothing is farther from the truth. It may, however, appear to be the truth to them who have turned their backs upon the institutions of their country and its past glorious history. We have never yet received an insult that we have not wiped out with promptness and courage. [Applause.] In the history of all time no country has enjoyed as independent, dignified, and respected a position among the nations of the earth. Without Army or Navy our trade has expanded in all directions, and our exports are greater than those of Great Britain, whose guns accompany her commerce to every port in the world.

It is expected that American capital will flow to these islands, where it will find a new field for investment with larger gains. For that reason I am opposed to their annexation. American capital has been wrung from American labor and reaped from the natural wealth of this country. The American farmer has furnished a great portion of that capital from the products of his toil and economy, and now it calls on him to furnish it with an army and navy to protect its exploitation in a foreign land. American capital should be invested in the land that produced it.

There is no lack of opportunities here. Here it should be invested to give employment to labor and build up our country. The expenditure of American capital for the improvement of these islands is an impoverishment of our own country. Every dollar added to the value of lands there by American capital means a corresponding depreciation in the value of lands here; every home built there means one less here; every railroad, electric road, and telegraph line built there means one abandoned here; and every laborer given employment there by American capital is one more added to the great army of the unemployed here.

Viewed from any and every point of advantage to the American people, the possession of the Philippines must be condemned.

Other motives must prompt the Administration to their acquisition. It is said that the President is deeply impressed with the duty of preserving the peace of the world; and if the United States does not saddle itself with the incubus of the Philippines, the long-predicted war over the Eastern question will be precipitated. We are, therefore, under obligations to the world to place ourselves in the Philippines to police this great Eastern question and prevent the great powers from coming to blows. But outside of Great Britain there is not a power that desires our interference in that question, not one that desires our presence in the Philippines, not even the Filipinos nor the American taxpayers; and no one, not even England, believes it will conduce to peace.

The prime minister of England, in speaking on this subject last November, said:

But no one can deny that its [the United States] appearance among factors—Asiatic, at all events, and possibly in European diplomacy—is a grave and serious event, which may not conduce to the interests of peace, though I think in any event it is likely to conduce to the interests of Great Britain.

It is certainly to the immediate interests of Great Britain that we annex the islands and intrench ourselves in them as a war power. Great Britain has vigorously employed every art of diplomacy and cajolery to induce us to take them; she has furnished us abundant evidence of her aid and good will in this war through her press; if at any time we showed indifference to the Philippines, she hastened to encourage us through our greed and by pointing out the responsibilities to the cause of humanity that she declared rested upon us.

If at any time we leaned toward the Monroe doctrine, she called us back to her purpose in the mother tongue and soothed our fears with the anodyne of a common ancestry. She has led the Administration by the hand, as a little child, to turn its back on Washington and Jefferson, to tread the labyrinth of Asiatic and European diplomacy, to adopt the policy of giving to her a monopoly of American friendship, and to thrust the United States into antagonisms with nations that have always been our friends and toward whom we have reasons for gratitude and none for enmity.

The vast and expensive armament that England's colonial policy compels her to maintain on land and sea has become burdensome. She can find no nation in Europe to share that burden with her. An Anglo-American alliance is her aim and hope. While we remain wholly within this continent, all reasons are against such alliance; but if we move to the Philippines, there England holds the avenues of action and all the strings of diplomacy by which she can force such alliance practically at her own wish, and set us as an enemy against those whom we should hold as friends.

The friendship and respect which we hold for England, and which should be maintained and cultivated by this Government, do not and can not demand such a sacrifice at our hands. Let England solve her own great problems. She has done so in the past, whether they were of war or peace, and she has the power and ability to meet every danger and to accomplish every reasonable desire now or in the future without aid from us. Long ago we assumed responsibilities which confine us to this continent, which are inimical to alliances with any European power.

The protection of the republics and free governments of this continent from the impositions and aggressions of foreign nations and the preservation of an example of a free democracy in our own Republic for them to imitate is the most exalted position vouchsafed by Providence to any nation. [Applause.] We have just emerged from war with Spain, in which we renewed our pledge to that trust and sealed our devotion to it in the blood of American citizens.

THE MONROE DOCTRINE.

President Monroe, in his message of December 2, 1823, said:

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

WASHINGTON'S FAREWELL ADDRESS, SEPTEMBER 17, 1796.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens) the jealousy of a free people ought to be constantly [italicized] awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. * * *

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance;

when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world.

ANDREW JACKSON INDORSES IT.

On March 4, 1837, Andrew Jackson, in his farewell address, in alluding to Washington's Farewell Address, said:

The lessons contained in this invaluable legacy of Washington to his countrymen should be cherished in the heart of every citizen to the latest generation; and perhaps at no period of time could they be more usefully remembered than at the present moment; for when we look upon the scenes that are passing around us and dwell upon the pages of his parting address, his paternal counsels would seem to be not merely the offspring and wisdom and foresight, but the voice of prophecy, foretelling events and warning us of the evil to come. Forty years have passed since this imperishable document was given to his countrymen.

THOMAS JEFFERSON ENUNCIATES THE DOCTRINE.

In his first inaugural address, March 4, 1801, Jefferson said:

Let us then with courage and confidence pursue our own Federal and Republican principles, our attachment to union and representative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one-quarter of the globe; too high-minded to endure the degradations of the others; possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation; entertaining a due sense of our equal right to the use of our own faculties, to the acquisition of our own industry, to honor and confidence from our fellow-citizens, resulting not from birth but from our actions and their sense of them; enlightened by a benign religion, professed, indeed, and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude, and the love of man; acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here and his greater happiness hereafter—with all these blessings, what more is necessary to make us a happy and a prosperous people? Still one thing more, fellow-citizens—a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicity.

The Problems Bequeathed Us by the War with Spain—American Statesmanship, American Skill, and American Bravery Equal to Every Emergency—Glory, not Danger, our Destiny.

I shall give thee the heathen for thine inheritance, and the uttermost parts of the earth for thy possession.—*The Bible.*

SPEECH

OF

HON. HENRY R. GIBSON,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Wednesday, January 25, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11023) for the reorganization of the Army of the United States, and for other purposes—

Mr. GIBSON said:

Mr. CHAIRMAN: There are grave problems to-day confronting our country; and it becomes us, in the solution of those problems, to use every power of our minds and be guided by our highest regard for the welfare of our common country. Technically we are to-day in a state of war with Spain. Under our Constitution Congress declares war and the President and Senate make peace. Congress has declared war; and in the light of the Constitution of the United States that war is still in existence and will continue in existence until the President and the Senate, who constitute the treaty-making power, terminate it. That war has not yet been thus terminated. The President alone can not terminate a war. He can suspend hostilities. He has control of the Army and control of the Navy. He can stay their action for the time being; but in staying their action he does not make peace. He can sign a protocol, but that is simply making a truce.

THE WAR NOT YET ENDED.

In the sight of the law the war is still on—not on in its virulence, not on in its flagrancy, not on in the thunder of cannon and the charging of squadrons and bombardment by navies; but technically a state of war continues under our form of government, after Congress has declared it, until the President negotiates a treaty of peace and the Senate ratifies that treaty. Until ratification takes place, the war is on, and there is no peace. Until the ratification of the treaty of peace the war can be resumed by the order of the President alone, but after ratification the President's

war power is ended until Congress again gives him that tremendous authority. For all the purposes of my argument I will take it for granted that the treaty of peace will be ratified. I have too high a regard for the American Senate to think otherwise.

But even if the treaty is ratified we can not well tell what is before us, and it becomes us as patriots and statesmen to be prepared for all emergencies at all likely to confront us. I hope the menstruum of peace will solve all of our problems, but some of them may be soluble only in the red furnace of war; and so let us pray for peace, but prepare for war.

Mr. Chairman, as a result of the war with Spain we find our armies in possession of Cuba, Porto Rico, and the Philippines, and it seems to be agreed on all hands that we must maintain a military force in those islands; for what length of time and how large a force does not now clearly appear.

This being so, the first question I will consider is the sort of troops we will keep in these islands, regulars or volunteers. I believe it is the opinion of this House that regular soldiers are better fitted to do garrison duty than are volunteers, especially on foreign soil.

VOLUNTEERS NOT FOR GARRISON DUTY.

What I have learned from the soldiers of our Volunteer Army in the present war, especially from those of my district, and I can say that there are more soldiers in the Army from my district than from any other in the United States, for not only does the Regular Army contain many of them, but there are two Tennessee regiments out of the four largely made up of men from my district, and of the Sixth United States Volunteer Infantry, sometimes known as "Immunes," nearly one-third are from my district, and the letters that I receive from these men show their repugnance to what they are pleased to term "garrison duty." They are ever ready for war. They are always ready for fighting. As long as there is any battling to be done they are ready to risk their lives in upholding the banner and prosecuting the cause of their country. But when the fighting is done and the war at an end, they think their duty is at an end, and that they are entitled to return to their homes, their families, and their vocations in life.

Many of these men have enlisted at very great pecuniary sacrifice. They have left positions that have paid them \$50, \$75, or \$100 per month, and sometimes more, to accept the pitiful pittance paid to a private in the ranks; and, Mr. Chairman, they were all willing to make that sacrifice. They did it cheerfully and unhesitatingly. They did it while the exigency was upon the country and men were needed. But when the fighting is over, when the flag of the enemy has been hauled down, when a truce has been agreed to, and a protocol of peace dictated and signed by our President, then, by their method of reasoning and according to their logic, the war is at an end, and they think that they are entitled to their discharge.

That, Mr. Chairman, is the sentiment that prevails amongst those who write to me from the Army upon this particular subject. I have not heard from a large proportion of them, of course. From one of these regiments I have not received a half dozen letters requesting a discharge; but whatever letters I have received on this subject all contain the same suggestion: "We enlisted for the war, and the war is over; we enlisted to fight, and not to do garrison duty; therefore we prefer to return to our homes and engage in our civil occupations again."

THE VALOR OF OUR VOLUNTEERS.

And what is true of the volunteers from my district I am satisfied is true of all of our volunteers. Nobly has the American volunteer done his duty. On more than a thousand battlefields has he gloriously demonstrated his ability to vindicate the cause of his country. The histories of all of our wars are bright with the brilliancy of his bravery and the splendor of his patriotism. Whether fighting under Warren at Bunker Hill, or under Sevier at King's Mountain; whether under Jackson, repelling invasion at New Orleans, or under Scott, making invasion in Mexico; whether defending Richmond under Lee, or defending Knoxville under Burnside; whether storming the heights of San Juan under Shafter and Wheeler, or bursting through the ramparts of Manila under Merritt, wheresoever and whenever they have fought they have shown the world that there are no men more brave or more patriotic than the American volunteers, and I glory in their gallantry and devotion in the grand cause of human liberty. In battle the volunteer is a hero. His pluck is marvelous, his dash is thrilling, his energy is immense, his enthusiasm is irresistible, his determination is unconquerable, and his patriotism is sublime.

Through the valor and patriotism of our volunteers we have avenged the murdered reconcentrados; we have "remembered the Maine;" we have given liberty to the Cubans; we have disenthralled the people of Porto Rico; we have expelled the tyrannical Spaniard from the Philippines; we have added a new chapter to the grand volume of human freedom, and a bright page of glory to the history of our country; and in all this sublime work we have felt in our consciences that the God of the oppressed and the

Avenger of the innocent approved our work and crowned our flag with His blessings, and that it was His almighty wings that shielded Dewey at Manila and Schley at Santiago while they wrought destruction upon the fleets of Spain.

But, when the fighting is at an end, "when the war drums throb no longer, and the battle flags are furled," when "grim-visaged war hath smoothed his wrinkled front;" when the tiger in the soldier's heart has been transformed into a lamb, then "the pomp and circumstance" of camp life and dress parade become "flat, stale, and unprofitable," and the drudgery of garrison duties becomes galling and oppressive. Then, too, memories of home come trooping into his dreams, visions of loved ones bring tears to his eyes, and his heart turns to the hearthstone of his family as the surveyor's needle turns toward the star of the North.

In every clime the magnet of his soul,
Touched by remembrance, trembles to that pole.

THE VOLUNTEERS ENTITLED TO THEIR DISCHARGE.

In time of war, an American wants to be a soldier, but in time of peace he wants to be a citizen.

This being the situation, we must substitute regular soldiers for our volunteer soldiers. We must substitute men who join the Army as an occupation (and there are plenty of them) for men who joined the Army as a patriotic duty, to meet a temporary emergency, and who expected to return to the pursuits of peace as soon as the emergency of war had terminated.

It is a great hardship on many of our volunteers to hold them in the Army after peace has been finally made. Some of them have not yet completed their education; some have wives or parents depending on them for comfort and support; some have lucrative occupations needing their supervision or labor; some have profitable positions still kept open or now offered to their acceptance; and others have experienced the horrors of the hospital and fear that their health will be permanently wrecked if they are kept in camp any longer.

All of these classes of volunteer soldiers, Mr. Chairman, are entitled to their discharge on the very day the Senate ratifies the treaty the President long, long days ago laid before it. And when the volunteers are all discharged, as they no doubt soon will be, how are their places to be filled? That is one of the great problems now confronting us, and my judgment is that instead of enlisting a new volunteer army we should expand our Regular Army.

The next question, then, as I look at the case, is, how large a regular army will we need? And in order to answer this question intelligently it is necessary to consider the uses we will probably have for our Army during the next two years.

We have now soldiers in Cuba, Porto Rico, the Philippines, and Hawaii, and how many will we need in these islands and for how long a time? And in considering these questions we must consider our relationship to these various islands, our duties to them, and our policy in relation to them.

OUR POLICY TOWARD CUBA.

First, then, what is our relation to the island of Cuba; what are our duties there, and our policy? Mr. Chairman, we have pledged our honor in sight of all mankind that we will not occupy that island any longer than is necessary to put the Cuban people upon their political feet and assist them in the organization and maintenance of a suitable and stable government, republican in form and substance.

Our flag floats there to-day as a declaration to every man, woman, and child in the island of Cuba, as well as to every man, woman, and child throughout the whole world, that it is the banner of liberty floating over and guarding the people of Cuba until such time as they shall have organized a government of their own, and are ready to "touch the button" that will start its machinery in independent motion. When that day comes we will retire.

But when will that day come, Mr. Chairman? That is a grave and serious problem. Would to God it were even this day. I would to God it were to-morrow; but I fear that it may not be for a long period, perhaps for many months. We can not prophesy very safely in these matters. The Cubans are little experienced in the doctrines and the practices of self-government. I question very much whether there be a people upon the earth, as well civilized as they are, who have had so little experience in self-government.

The condition there is a peculiar one. The Cubans are a mercurial race, somewhat like the French. They are excitable and unstable. The opinions they hold to-day they may reject to-morrow. They may have a government to-day which they believe is stable, and before our forces can be withdrawn a revolution may arise that will overthrow that government. I anticipate that when the time comes for them to assume government for themselves grave questions may arise, serious and acrimonious controversies; and, sir, nothing will contribute so much to bring about stability of government in that island as the presence of a large American force pledged to preserve the public order and protect private property. The hot-heads will respect our flag for the flag's sake, and if they do not we will teach them to respect it for their own sake.

PREPARING THE CUBANS FOR FREEDOM.

An American army, in the first place, will put the people of Cuba upon their good behavior. They will realize that they are required to preserve order. In the next place, the presence of an American army in Cuba will be a standing argument in favor of law and order to those who want self-government and national independence. They will say among themselves, "We must be law abiding, we must be peaceable, we must show these Americans that we are capable and worthy of self-government, for until we do that this American army remains and their flag floats supreme over our island. Now, if we want to set up our own government and be a free people and have our own flag, we must show that we are worthy and capable of self-government, and then the American flag will be lowered and the American army will retire to their own country."

But, Mr. Chairman, until then how many men will be required in the island of Cuba? I believe it is pretty generally agreed that about 30,000 will be necessary. That is more than our whole Regular Army at the time the Spanish war broke out. Some say send volunteers there. Volunteers will not do, for the reasons I have already given. We want regulars there. We want men who will be thoroughly obedient to military discipline. Let us take things as they are. Men are men. We know how it is with volunteers, especially those who enlist for a short term. They are unaccustomed to implicit obedience. They are independent men, men who call no man master, and bow to no boss; and I am glad that they are independent in spirit and unaccustomed to obedience, because when we come across men who are accustomed to obedience, then we come across a race who are unfit for liberty.

A man has to be broken in spirit, to some extent, so to speak, before he becomes entirely fitted to the duties of a perfectly disciplined soldier. He must first become a sort of human machine that obeys orders, without question or hesitancy; and becoming such a machine, and accustomed to obeying orders, there is less likelihood of a regular soldier leaving camp and visiting the saloons contrary to orders, or going off on this or that little expedition of pleasure or plunder, and getting into trouble with the natives. An American volunteer feels that he is still an American citizen, with an American's rights, and he resents every effort to interfere with the very least of these rights. He regards military discipline as a mere sort of nickel-plated slavery, against which his whole nature rebels.

REGULARS BETTER ADAPTED FOR CUBAN OCCUPATION.

We want to give the people of these various islands where our soldiers now are as few excuses as possible to find fault with their conduct; and so I believe that regular soldiers are better adapted for this work than are volunteers.

I remember, while a boy, reading an account of the march of the French army, under Count de Rochambeau, that landed, if I mistake not, in Rhode Island and marched from Rhode Island down to Yorktown, to aid Washington against Cornwallis; that as they passed through the country they took not an apple from the tree nor an ear of corn from the stalk, and took not a chicken nor a duck nor a goose, except what they paid for; and the historian thought it worthy of remark that these foreigners, in passing through our country, treated our people better than did the army of Washington as it passed through. And we know how it was in the war of the rebellion, those of us who were in the Southern States or in the border States.

Our soldiers generally took whatever they wanted, and if they could not take it in the daytime they would take it in the nighttime, notwithstanding the most stringent orders of the officers commanding. So volunteers in the island of Cuba will feel that they are on a sort of picnic. They would want to visit the girls, they would want to go to the saloons and places of amusement. A few would get intoxicated and would want to paint every village red and make a hot time in every old town every night, and thus would get into fights and rows; whereas regulars are more obedient to the orders of their officers, and therefore under better discipline. Besides, the officers of the Regular Army are more vigorous in the enforcement of discipline than are volunteer officers. So I say regulars are better fitted for the occupancy of a foreign country than are volunteers. Volunteers are to defend our country against foreign invaders, and the time never will come when there will not be enough volunteers to rally at the call of the President to repel the armies of the world should they undertake to invade the soil of America.

Mr. SIMPSON. Will the gentleman permit an interruption?

Mr. GIBSON. Certainly.

Mr. SIMPSON. If I understood the gentleman correctly, he said that it is very doubtful if we could get volunteers to go into Cuba and those islands as an army of occupation. Now, that being the case, how is he going to get men into the Regular Army if they do not volunteer? Would he force them in?

REGULARS ARE ALSO VOLUNTEERS.

Mr. GIBSON. Mr. Chairman, there are plenty of men in the United States of America who want to go into the Army as a profession, as a business, to enlist for three years, just as the Regular

Army now is about its maximum in enlisted strength. But a man who volunteers in the militia knows that his service may not last for a month.

It is not for any fixed time. It is an indefinite time, as "until the war ends." It is until a certain contingency may arise. He leaves his desk or his farm or his workshop temporarily, and men do not like to leave their business temporarily just to do garrison duty abroad, but the regular soldier is the man who wants to go into the Army as a life business, and he prefers garrison duty. That is the difference between a volunteer militiaman and a volunteer regular. They are both volunteers in the broadest sense; they are both good men and true Americans and good patriots; but a volunteer is for war, while the regular is for either war or peace; the volunteer is for the battle, while the regular is for either the battlefield or the camp or the garrison.

Mr. SIMPSON. Does the gentleman mean to say that the keeping of Cuba is going to be permanent?

Mr. GIBSON. I mean to say no such thing. Does not the gentleman know its occupation is indefinite? It is to continue until a stable government is established. The gentleman need not plead ignorance. He has been listening to my remarks, and it is not easy for him to plead ignorance of my views. He knows them, and I refer him to my remarks, as they will appear in the RECORD, for further information.

Mr. SIMPSON. It struck me as a little singular.

Mr. GIBSON. I never heard anything in my life that did not strike the gentleman as "a little singular." [Laughter.]

Mr. SIMPSON. If a man did not volunteer into the Army, I did not see how he was going to get into the Regular Army.

Mr. GIBSON. For nearly two years I have served with the honorable gentleman from Kansas, and I have never yet known anything that struck him that did not strike him as "extraordinary and singular," for the reason, I suppose, that the gentleman glories in being a "singular" man.

Mr. SIMPSON. Particularly when it comes from the gentleman from Tennessee.

Mr. GIBSON. I thank the gentleman for the compliment. [Laughter.]

OUR POLICY TOWARD PORTO RICO.

Now, Mr. Chairman, having stated my views in reference to the island of Cuba, I want to say something in reference to the island of Porto Rico. Porto Rico is a beautiful, healthful, and fertile island, within the sphere of our influence and on the great waterway between the United States and South America. The inhabitants are anxious for annexation, and everywhere welcomed the arrival of our soldiers with shouts of joyous salutation.

It is said that we did not go to war for conquest, and we did not. But because we did not go to war shall we for that reason abandon Porto Rico? When we engaged in the war with Mexico in 1846 we did not go into it for conquest; our purpose was to defend and protect Texas.

But when that war ended we were in possession not only of Texas, but of Utah, California, Nevada, Arizona, and New Mexico. Now, what did we do? Did we say then that as we did not go to war with Mexico for conquest we would abandon Utah, California, Nevada, Arizona, and New Mexico? No, we were not the imbeciles then some men want us to be now. We held on to what we conquered from Mexico, and we are holding on to it to-day, although there were men then, as there are men now, who thought it was wicked and dangerous to acquire this territory, and some predicted that God's curse would fall upon us as a nation if we took this territory away from Mexico.

But we took it, and we took it by force of arms, and we hold it to-day, and God's curse has not yet fallen upon us. On the contrary, He seems to have blessed us. Our nation took a new start when California became ours, and never in the history of the world has there been such progress in territorial development as there has been since we annexed California. What was then a wilderness between Missouri and the Pacific Ocean, inhabited by Indians, buffaloes, coyotes, and prairie dogs, is now occupied by 13 States and 3 Territories of our Union, containing 8,000,000 inhabitants.

PORTO RICO MUST BE ANNEXED.

Man proposes, but God disposes. We did not go to war with Mexico to acquire any territory, but we did acquire some, and the territory thus acquired has rounded out our domain, and been not only a great blessing to us, but a blessing to all mankind.

So we did not go to war with Spain to acquire any territory. But again man proposes while God disposes, and as a result of this war the beautiful island of Porto Rico is in our hands. And the question now is, What shall we do with it? Shall we surrender it to Spain, that brutal and bloody tyrant, whose rule has been the curse of so many lands? To hand Porto Rico back to Spain would be like throwing a rescued and bleeding lamb back into the jaws of the wolf whose fangs had torn its flesh, and I for one will never vote that way.

We annexed Hawaii in the far Pacific because she was not able to stand alone in the struggle for national existence. Little insular nations can not exist; they are sure to be devoured by the great nations whose ambition is to rule the seas. So Porto Rico is too small to be an independent nation. Its own people realize this, and their aspiration is to become a part of our country.

I see, therefore, no satisfactory alternative open to us. Porto Rico must belong to some nation. We are the nearest of the great nations. We have delivered her from thralldom. We have wrenched the hand of the tyrant from her throat. We have spent our treasure and shed our blood in rescuing her. Are we willing that some other nation shall possess her? Are we willing that she shall float on the sea like an abandoned ship, to become the property of the first possessor? Porto Rico must become a portion of our national domain. It will be governed as the Territory of New Mexico has been governed for the last fifty years. It will be governed as the Hawaiian Islands are to be governed, as a Territory. We will need an army there; not a large army—I should say 4,000 or 5,000 men would be ample. Do we want volunteers for that? Do we want to send volunteers to occupy the island of Porto Rico for four or five years? No; we want regulars for Porto Rico.

OUR RELATIONS TO THE PHILIPPINES.

Now, Mr. Chairman, I come to the most difficult of the problems that confront us, and that is our relations to the Philippine Islands.

I wish to discuss this problem in all its phases, and as their annexation to the United States is one of these phases I will say a few words on that point, not that I intend here and now to commit myself to their permanent annexation, because I have not yet reached a conclusion on that point. The matter is too momentous for a hasty and uninformed judgment. The time has not arrived to pass on that question. We must take time to acquire information and consider.

I wish it understood, however, that I am one of those who implicitly believe that we have both the right and the power to permanently annex these islands. There was a day ninety-six years ago when this objection was open to argument, but we have done too much annexing to raise the constitutional question now. That question has been settled seven times: First, by President Jefferson, in 1803, when he annexed Louisiana; second, by President Monroe, in 1819, when he annexed Florida; third, by Congress, in 1846, when it annexed Texas; fourth, by President Polk, in 1848, when he annexed California, Nevada, Utah, Arizona, and New Mexico; fifth, by President Pierce, in 1854, when he annexed the Mesilla Valley; sixth, by President Johnson, in 1867, when he annexed Alaska; and seventh, by this Congress, when, in 1898, it annexed the islands of Hawaii, neither of the last two being annexations of contiguous territory.

In the light of these facts it is a waste of time to discuss the constitutional right of annexation. Those who dispute this right are the intellectual descendants of those who, hundreds of years ago, disputed that the earth was round, that the stars were fixed, that the sun was stationary, and that the planets revolved. These men are all worthy disciples of Parson Jasper, whose scientific creed is, "The sun do move." To argue with these men is a waste of time, an insult to reason, and an outrage on patience.

THE UNITED STATES A SOVEREIGN NATION.

The United States is a sovereign nation, and as a sovereign nation may rightfully do anything and everything any other sovereign nation may do. The United States was a nation before it had a constitution; it made the Constitution, and it can unmake the Constitution. It is superior to the Constitution.

To hear some men talk one would think that our nation was only half made; that it was not vested with all the powers that other nations have; that at its birth it agreed with itself that it would not exercise all the rights, powers, and privileges of a sovereign nationality, and that this agreement has emasculated it and made it a national monstrosity, a sort of half-breed bastard in the family of nations.

I can understand neither the patriotism nor the hallucination of the American who tries to belittle his own country and degrade it in the eyes of the world. Did the soldiers, thousands of them from my own State, who fought under Jackson at New Orleans to defend the annexed territory of Louisiana believe they were fighting under a flag that had no right to float over the soil they so valiantly defended?

Did the soldiers who in 1846 carried our flag into California believe they had the right to fight and to die there, but no right to help annex it to the United States? Were our soldiers who planted the Stars and Stripes on the heights around Santiago guilty of treason in their hearts when they lifted their eyes to heaven and prayed that Cuba might some day become American soil? When in the far Philippines, on the other side of the mighty earth, the sailors of Dewey planted the banner of the Republic upon the fortress of Cavite, near the city of Manila, the smoke of the Spanish ships going to heaven as from an altar of sacrifice,

did Dewey and his heroic men think for one moment that their flag represented a nation less sovereign than the nation whose flag they had stricken down?

OUR SOVEREIGNTY COMPLETE AND ABSOLUTE.

These supersensitive patriots are so afraid we will do some act in violation of the Constitution or the Declaration of Independence that they are not willing to do anything. The Declaration declares that the United States assume "among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitle them * * * and that as free and independent States they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent States may of right do." Is there any limitation upon our powers as a nation in those grand words? No, sir; ten thousand times, no! The heroic and patriotic men who signed that Declaration of Independence did not usher into being a nondescript or a bastard or a half-breed in the family of nations. We are the equal in powers, rights, prerogatives, and privileges of the greatest nations upon the earth; and the American heart that would deny us any of these powers, rights, prerogatives, and privileges is a heart where treason is apt to lurk when patriotism demands some sacrifices.

Every time the car of progress turns a wheel a cry is raised that there is danger ahead. Every step in national advancement has been frowned upon, derided, and prophesied against. The "old women" always see dangers on the edge of the sky. They saw giants in the promised land. They predicted that the Christian religion would die with the first martyr. They said that the flame of Protestantism kindled by Luther would be extinguished in the blood of his followers. They doomed the ships of Columbus to a destruction of which there would be no survivor to tell the tale. They foresaw that the *Mayflower* was to sail a trackless sea to the shores of a voiceless doom. In their eyes the American Revolution was the hopeless ebullition of misguided passion.

THE EVIL PROPHECIES OF THE FAINT-HEARTED.

They declared our Constitution a rope of sand. They said our Presidents would become kings, and thought they saw a crown growing on Washington's head. When Louisiana was annexed, in 1803, they said that it was so unconstitutional as to annihilate the Constitution and destroy the Union. When the first national bank was chartered in 1816, they declared that liberty was as good as dead, and that the money power would soon own the country. When, in 1845, Texas was annexed, they saw slavery triumphant and the Union as good as dissolved. When, in 1846, we made war on Mexico in defense of Texas, men in this House declared that the vengeance of heaven was sure to fall upon us, and "bloody graves" would be the fate of those gallant Americans who with transcendent valor upheld our flag at Buena Vista, and who carried it in triumph from Vera Cruz to Mexico, and floated it from the topmost turrets of the mansions of the Montezumas.

When, in 1848, we annexed California and New Mexico, these same prophets of evil saw the most gigantic dangers looming up on the Pacific coast, 3,000 miles away, and a six months' journey by sea or land, and the result would be the nation would break in two by its own weight, the Rocky Mountains being the line of division, unless England or some other foreign nation took California and Oregon away from us by force of arms. Blood-curdling and hair-raising pictures of national calamity were thrust before our horrified vision by the old women and false prophets of those days as the sure result of the annexation of California. It was declared to be a wicked robbery from a sister Republic, a robbery wholly unnecessary, as we already had more territory on the Pacific than we had any use for; that its acquisition would necessitate a large increase of our Army and Navy, and a consequent increase of taxation, all of which would fall on the poor man; that the \$15,000,000 we paid Mexico for California was a reckless and unconstitutional expenditure for what, at best, was a mere unexplored waste of sand and sagebrush; and that the sole object of the annexation was the unholy extension of African slavery and the wicked suppression of American liberty.

ARGUMENTS AGAINST ANNEXATION ANSWERED LONG AGO.

If the gentlemen who are wrinkling their brows and torturing their brains in unsatisfactory efforts to manufacture insect thunder against the acquisition of Porto Rico and the Philippines will only go back to the Congressional debates on the acquisition of Louisiana in 1803, and the acquisition of Texas and California in 1845 to 1848, they will find not only all the little arguments their imagination has brewed out of a sour digestion, but will find many others of larger proportions and more ponderous material. But they will find all of these arguments, little and big, fully answered, all of their predictions falsified by subsequent history, and that instead of adversity to curse us we got prosperity to bless us; instead of slavery being extended it was destroyed; instead of California being six months off it is now only six days off, and the 1,000-mile-wide desert between California and Missouri is

blossoming like the rose, the seat of religion, learning, and wealth, and filled with many populous and prosperous States.

I suppose there is a providence in allowing and stimulating these prophets of evil, these human ravens whose croaks are heard from the glittering spires of prosperity and whose sable wings flit through all banquet halls, like fallen spirits, whose only satisfaction is to prophesy calamity and terrify the timid.

The fathers of our Republic, as they wrought on in their grand endeavor to lay deep, wide, and strong the foundations of a nation that should be to all others as the sun is to the stars, heard day after day the carpings of the critics, the sneers of the scorners, the censures of the wiseacres, and the prophecies of failure from the ashy lips of cowards and traitors.

Let us not, then, Mr. Chairman, falter in our work or lose faith in our country or despair of the world because there are in our midst so many descendants of these prophets of evil, who have all along our national highway perched on its most notable milestones as soon as they were erected and have only left them to fly to others subsequently built.

CROAKINGS OF THE ENEMIES OF PROGRESS.

There are many people who see a violation of the Constitution in every great measure proposed for our country's welfare, and who, ravenlike, croak, "Unconstitutional."

Where would the world be to-day if these people who croak "unconstitutional" had had their way all through the ages? When God said, "Let there be light," they would have uttered their protest from their primeval home in the stygian darkness of old chaos! When God said, "Let us make man in our image," they would have objected to this "unconstitutional" desecration of the Godhead!

When Moses came down from Mount Sinai with the tables of stone in his hands, they would have stood by the side of Aaron and sworn by the golden calf that every one of the Ten Commandments was an unconstitutional and dangerous innovation upon the rights and liberties of the people and a blow in disguise at the laboring man. When Christ was upon the earth, they would have joined Herod in massacring the innocents and Pilate in the Crucifixion, on the ground that the Saviour's teachings were "revolutionary" and "unconstitutional" and dangerous to the old order of things. When Martin Luther proclaimed the freedom of religious thought, they denounced his doctrines as violative of the constitution of the Papacy and subversive of the Catholic Church.

When Columbus disclosed his plan for finding the East by sailing to the west, they branded him as an infidel or a lunatic, or perhaps as one possessed of that legion of devils that went to sea in the swine. When Thomas Jefferson wrote the Declaration of Independence, they raised their eyes, their hair, and their hands in holy horror, and declared the whole document not only "unconstitutional" and treasonable, but as in direct contravention of the teachings of St. Paul, and that no doubt he was moved, seduced, and instigated by the devil. When Abraham Lincoln declared the preservation of the Union was preferable to the preservation of slavery, they turned black in their faces and red in their eyes while shouting "Unconstitutional!" and denounced Mr. Lincoln as a tyrant and a usurper.

When the various amendments to our Constitution to secure the results of the war, broaden American liberty, and define American citizenship had actually been adopted as a part of the Constitution, these same chronic objectors denounced these very amendments as "unconstitutional" and not binding on either the people or the States.

When Hawaii was annexed, when war was declared against Spain, when Dewey's guns shook the continent of Asia as with a monarch's voice, they cried "Havoc!" and let slip the dogs of war. When the ships of Sampson and Schley and the soldiers of Shafter and Wheeler were writing, in letters large enough for the world to read, the final doom of Spanish dominion in this New World, these same Jeremiahs, with streaming eyes, trembling lips, and clasped and upraised hands, cried out, "Unconstitutional and abominable!"

OBJECTIONS OF THE MINIONS OF BOURBONISM.

Yes, every discovery that has advanced science or blessed mankind, every amelioration of custom that has elevated and ennobled woman, every statute that has lifted a burden from human shoulders, every judicial decision that has forced the tigers of inhumanity to unfang and abandon their helpless prey, every revolution that has enlarged the area of human freedom, and every gospel that has proclaimed a higher and holier destiny for the sons and daughters of men has met the anathema maranatha of those minions of Bourbonism who have, in all the ages, been the irreconcilable enemies of human progress, the foes of freedom, and traitors to every noble cause, and who with the lamplblack of despair have sought to obliterate the bright rainbow of hope in humanity's sky.

Let us not, then, complain, Mr. Chairman, because these carpers

and critics, these scorners and wisecracks, these false prophets and Jeremiahs, still live to vex and annoy us.

Shall we be wafted to the skies
On beds of flowery ease,
While others fought to win the prize,
And sailed through bloody seas?

No, Mr. Chairman, God has some benevolent purpose, no doubt, in allowing these political gadflies to torment the men who move forward the car of state.

These same fault-finders and constitutional objectors now contend that we can not annex the Philippine Islands without their consent, notwithstanding we have the consent of Spain. When we annexed Louisiana did we ask or get the consent of its inhabitants? No; they were bitterly opposed to annexation, and we sent an army there. When we annexed California did we ask or obtain the consent of its inhabitants? No; they were not only opposed to annexation, but they fought us in battle to prevent annexation. France ceded Louisiana to us for \$15,000,000, Spain ceded Florida to us for \$5,000,000, Mexico ceded California to us for \$15,000,000, and Spain has now agreed to cede the Philippine Islands to us for \$20,000,000; and in none of these cases was the "consent" of the inhabitants obtained. The inhabitants went with the land, and their consent was not asked.

THE "CONSENT OF THE GOVERNED."

But we are told that the "consent of the governed" is the foundation of all just governments, and that we would violate the Declaration of Independence if we annexed the Philippines without their consent. Now, Jefferson, who wrote the Declaration of Independence and ought to have known its meaning, annexed Louisiana without even consulting its inhabitants, and not only without their consent, but in spite of their dissent.

It is true the Declaration of Independence says that "all governments derive their just powers from the consent of the governed," but the Constitution does not so provide. Neither is the proposition correct in every instance. At the time the Declaration was made there was no thought of obtaining the "consent" of the Indians or negroes.

The Indians to-day have no voice in the Government; and in the negro States their "consent" is not only not obtained, but is actually denied. And what is most strange, the men who pretend to be so indignant about governing the Filipinos without their "consent" are the very men who are most anxious to govern the negroes without their "consent!" Is an Asiatic Filipino who lives 10,000 miles from here entitled to any more rights than an American negro who lives next door to us? Why is it, Mr. Chairman, that some of these men who rave so for fear the Filipinos will be governed without their consent rave just as furiously when the negroes insist on not being governed without their consent?

Why do these professed champions of liberty insist on saying "turkey" to the Filipinos and "buzzard" to the negroes? What is sauce for the Philippine goose ought to be sauce for the African gander. I can not quite understand the hearts of those men who so dearly love the yellow Filipino whom they have never seen, and yet do not love the yellow negro whom they have seen. If the Filipinos are entitled to self-government, then the negroes are; and yet some of these men who are pretending to be so indignant because the savage, half-naked, heathen Filipino is to be governed without his consent are just as indignant when a civilized Christian negro asks not to be governed without his consent. Surely the charity of these lovers of the Filipinos does not begin at home.

INSTANCES WHERE NO "CONSENT."

As a matter of fact, Mr. Chairman, even in our own country government is not always based on the "consent of the governed." What father asks the "consent" of his children to the government he establishes over them? When and in what is the "consent" of the women of the country obtained, even where they are taxed? The "consent" of the Indians has seldom been deemed necessary, and when deemed necessary has often been obtained by fraud or force.

At every session of Congress laws are passed that some one or more States object to. At every session of the various State legislatures laws are passed that some counties do not consent to. The consent of the majority rules, and they are the governors, while the consent of the governed minority is not only not asked, but when known is denied, and sometimes denied with contemptuous tyranny and undeserved approbrium.

In the days of nullification South Carolina was kept in the Union and forced to obey laws against her consent. Andrew Jackson threatened to hang some of the South Carolina nullifiers because they would not "consent."

From 1861 to 1865 we waged a terrible war against the Confederate States because they would not "consent" to remain any longer in the old Union. And after the war we disfranchised them, so they would be unable to express their dissent.

We have had several Presidents who failed to get the "consent" of a majority of the voters. There are several States in the Union to-day permanently governed by a minority of their people, and even in those States where majority rule prevails the minority are not only not governed with their "consent," but are often governed in spite of their dissent. Even here in the city of Washington, right around and in sight of this Capitol, there are 300,000 intelligent, cultured, liberty-loving, patriotic people governed without their consent, without any voice, vote, or representation whatever, and taxed besides.

When America was settled, was the "consent" of the Indians asked by our forefathers? Did the Pilgrim Fathers obtain the consent of the Massachusetts Indians? No, sir; they exterminated them!

CIVILIZATION HAS IGNORED THE "CONSENT OF THE GOVERNED."

Where would the United States of America be to-day if the first white men who landed on our coast had sailed away because the Indians objected to their coming? This fair and gracious land, the wonder of the world, with its 70,000,000 of people, its hundreds of beautiful towns and cities, its millions of fertile fields, its hundreds of thousands of schools and churches; its railroads, telegraphs, and mail routes; its electrical inventions and manufacturing establishments; its millions of happy, Christian homes; its government—the best on earth for man's welfare—where would all these have been had the "consent" of the Indians been necessary to the occupation of the country? Instead of this magnificent Capitol, here would be the wigwam of some Powhatan; and instead of these champions of the "consent of the governed," who from day to day make these walls weary of reverberation, we would have a few Indian bucks in war paint, with feathers on their heads and down their backs, and scalps in their belts! And thus the doctrine of the "consent of the governed" would have been vindicated, even though a continent was thereby made the home of heathen savages!

"Consent of the governed," indeed! The world has moved onward to civilization and Christianity against the "consent of the governed." War is the great civilizer. God commanded Moses and Joshua to exterminate the Canaanites. If these pretended friends of the Filipinos had been there, they would have denounced Moses and Joshua for obeying the orders of the Almighty. They would have declared that the Israelites had no right to invade the land of the Canaanites without their consent; and would, I suppose, have denounced the administration of the Almighty. Oh, these champions of the Filipinos are such just men they want to be more just than God himself!

Where would be my own State of Tennessee if it had been necessary for Sevier, Shelby, and Robertson to obtain the "consent" of the Indians who lived within its boundaries? Where would be all the States? Wildernesses, roamed over by buffalo and Indian, by bears and wolves; and I suppose God would be glorified and liberty vindicated by this triumph of the "consent of the governed!" Where would these advocates of the "consent of the governed" be if their doctrines had been applied to America as they seek to apply it to Asia? They would be in "a state of innocuous desuetude," and that would at least be some consolation!

CONSENT OF A MAJORITY OF THE GOVERNED.

Mr. Chairman, the best governments are based on the consent of a majority of the governed, this majority being at once governors and governed; that is, it obeys its own laws and requires the minority to obey them also. And this is what the Declaration of Independence means. And this majority does not mean the majority in any one State or section of the country, but the majority of all the people of all the States and all the sections. Here is where the Federal Government got its right to suppress the whisky rebellion while Washington was President, here is where Jackson got his right to suppress nullification in South Carolina, and here is where Lincoln got his authority for suppressing the Southern Confederacy. Washington, Jackson, and Lincoln were simply executing the mandate of the majority of all the people of all the States and of all the sections. And if Porto Rico and the Philippines are annexed to the United States and become a part of the territory of the United States, they, too, will be governed by the majority, and if they are the majority they will govern us, but if we are the majority we will govern them. And on this commandment hang all the law and politics of the case.

Now, Mr. Chairman, are these men who deny the rights of yellow skins in America really anxious to defend the rights of yellow skins in Asia? Do the men who despise the negro in America truly love the Filipino in Asia? If the Filipinos were as numerous in the South as are the negroes, would these gentlemen who now champion their right to self-government be as loud-mouthed in their behalf as they are to-day? Do we not know, Mr. Chairman, that if the negroes were in the Philippines and the Filipinos were here these same advocates of self-government would be caressing the negroes and oppressing the Filipinos?

SECRET OF THE CODDLERS OF THE FILIPINOS.

This being so, Mr. Chairman, what is the secret of this pretended friendship for the Filipinos? I will tell you, Mr. Chairman. But you already know it. We all know it. The world knows it. Out on the sandy deserts of Asia the ostrich, when discovered, will bury its little head in the sand and think because it can not see the hunter the hunter can not see it, notwithstanding its tail is high in the air. Do these gentlemen who love the Filipino whom they have not seen and hate the negro whom they have seen—the negro being far the better man of the two—do these gentlemen who, in effect, declare their ancestors to be murderers and robbers because they drove out the Indians, do these gentlemen think that because they have hid their opposition to the Spanish treaty in a cloud of words and behind the Declaration of Independence that their motives are not visible? Mr. Chairman, their real purpose is as plain as the body of the ostrich after he has hid his head.

Opposition to President McKinley's Administration is the real motive and mainspring of their opposition. They are tempest-tossed and storm-driven on the sea of politics, and their frail ship is about to sink with all on board. The tariff-for-revenue-only mast is broken in two and poorly spliced; their 16-to-1 mast is badly cracked, and there is a growing dispute as to who shall steer the ship. Amid the creaking of the weakened masts, the rattling of the cordage, the flapping of the tattered sails, and the groaning of the hull, as the tempest howls and the billows roll, these champions of Asiatic barbarians behold the ship of state, commanded by William McKinley and manned by an American crew, every mast sound, every sail whole, every rope tight, sailing proudly on the sea of prosperity and about to enter the harbor of national safety. And as the grand old ship of state sails by, towing three small ships named Cuba, Porto Rico, and Philippines, these pretended friends of self-government call out to the men in the three small ships: "Cut loose from McKinley's ship! Don't let him tow you into the harbor! Rebel, resist, fight to the last, and we will help you all we can!" Not that they love the people of Cuba, Porto Rico, and the Philippines, but they hate McKinley and hate his ship and hate his crew.

MUCH DEPENDS ON WHOSE OX HAS BEEN GORED.

Do we not know, Mr. Chairman, that if Bryan had been elected President, and under his administration this war with Spain had broken out with the same results, that many of these same gentlemen who are now advocating the freedom of the Philippines and the "consent of the governed," would now be denouncing the Filipinos as rebels and ingrates and advocating their speedy suppression at the point of the bayonet? And if any man should interpose an inquiry about the Declaration of Independence and the "consent of the governed," he would soon hear a tornado of invectives, accompanied with more or less thunder of patriotic indignation, that any American should so far forget himself as to even question the infallible wisdom of the great patriot President, William Jennings Bryan, in annexing the Philippines to the United States. A great deal depends on whose ox is gored.

Yes, if Bryan were President annexation and expansion and even "imperialism" would be all right, and in the next campaign we would have a new and enlarged edition of that ancient and oft-repeated Democratic claim that all of the valuable additions to our national domain had been made under Democratic administrations, and we should again have heard how the Democratic party had "enlarged the area of freedom" and made another "way for liberty."

But I am proud to be able to say, Mr. Chairman, there are many Democrats who have left the vast majority of their party and taken their stand by the side of the President, believing that in a great national emergency patriotism is above partisanship, and country superior to section. All honor to these noble patriots wherever found, whether on this floor voting money and men, or in Cuba, Porto Rico, or the Philippines standing under their country's flag and willing to risk their lives for their country's sake.

INFORMATION NEEDED BEFORE ACTION.

Mr. Chairman, there is no need of any haste in determining what we shall do with these islands. They will not sink or fly away. We know very little about them, and not knowing much many men are drawing on their imaginations for information, or on the imaginations of other men. We are told that there are 1,000 islands and 7,000,000 people; some islands inhabited by one race of one religion and other islands inhabited by other races with other religions; but what American has been to these islands and conferred with these people and made official report as to their conditions, capacities, and wishes?

The enemies of the treaty ought to get together, Mr. Chairman, and compare notes and reconcile their differences and inconsistencies. Some of them tell us the Filipinos are, in the main, half-naked, heathen savages, wholly unfit for the glorious privileges of American citizenship. Other opponents of the treaty say that they are a good and great and brave people, civilized and Chris-

tianized, who have been bravely and patriotically battling for their freedom for many years.

Now, Mr. Chairman, which of these two contradictory stories is true? You know, and we all know, that neither of them is true. As a rule, they are a half-civilized people, who are divided into many tribes, with different languages and different religions, and no bond of union whatever. They know nothing of civil or religious liberty, and are at present unfit for self-government. If left to themselves they would soon be at war with each other, and anarchy would result, and, like the man to whom the devils returned, their last condition would be worse than their first. The expulsion of the Spaniards would be an injury instead of a blessing, because order with tyranny is better than anarchy.

WHAT TO DO WITH THE PHILIPPINES.

But some one asks, "What will you do with the Philippines? Will you admit them as States into the Union?" I answer quickly, Never, as States, in our day. We will hold them as Territories. We will do all we can to civilize and Christianize them. We will establish schools and churches, construct roads, erect factories, open mines, build telegraphs, all of course at their own expense, and give them just as much participation in their own government as they are capable of. And when, in the process of evolution, they become capable of self-government, we will give them national independence, with our blessing and good wishes. But, Mr. Chairman, let us do our duty in our day and leave the future to be taken care of by the men of the future. All wisdom and patriotism will not be buried in our graves. The great and good God, who has cared for our country in the past, will raise up men in the future well able to deal with the Philippines in a manner suitable to our honor and welfare and compatible with the course of humanity.

Some men say, "Of what benefit will these islands be to us?" Mr. Chairman, that question was asked when we annexed Louisiana; it was asked when we annexed Florida; it was asked when we annexed Texas; it was asked when we annexed California; it was asked when we annexed Alaska, and it will continue to be asked by the old fogies as long as human progress and national development continue. If Paradise could be annexed, there would be men who would object unless they could get a homestead in it with the tree of life in the center.

The Philippines, Mr. Chairman, are more than a thousand islands, little and big, with about 114,000 square miles and 7,000,000 people. These islands are in close reach of India, Malay, China, and Japan, countries that contain one thousand millions of human beings, three-fourths of all the people of the world. And the great commercial nations of the earth agree that the nation that owns these islands will control a large part of the commerce of the Eastern world. Our commerce now is immense. We shipped away from our country and sold in foreign lands last year over one thousand millions of dollars' worth of the products of our fields and factories. We are knocking at the doors of all the nations of the earth and offering them the surplus stores we have to sell. Every dollar's worth of goods we sell in a foreign land is that much gained. The Philippines will give us a grand base of operations at the very doors of India, China, and Japan, and will give us their trade. We will sell them our cotton, corn, wheat, beef, and bacon, and enormous will be the profit thereof, soon aggregating hundreds of millions of dollars a year.

NATIONS HAVE DUTIES.

Nations have missionary work to do as well as churches. The missionary work of the Catholic nations seems to be drawing to a close, and the missionary work of the Protestant nations is now covering the earth, as the waters cover the sea. England has heretofore done most of the Protestant missionary work of the world. She has erected Protestant churches in every quarter of the globe and on more than half of the islands of the sea.

Have we no duties to perform as a nation? The people of these islands are, many of them, heathens. Is it not our duty to Christianize them? Who knows but what God has opened these islands to us that through them all Asia shall be converted to Christianity? God has given us this grand opportunity. Shall we disregard it? What greater glory could we achieve than through the Christianization of the Philippines to Christianize all of Asia? Thus the oldest nations of the Old World would be blessed by a young nation of the New World, and herein would be fulfilled the prophecy, "I shall give thee the heathen for thine inheritance and the uttermost parts of the earth for thy possession."

What shall we do with the Philippines? Spain found it profitable to keep them. Are we less capable than Spain? Other nations deem them valuable. If valuable to other nations, why not to us? If we surrender them other nations will seize them for their benefit. Why not, then, hold them for our benefit?

England has found such islands wonderfully valuable to her. Holland has found such islands exceedingly valuable to her.

France believes such islands will be valuable to her, and has recently annexed Madagascar. Germany considers these very Philippines so valuable to her that she is almost willing to go to war with the United States in order to get possession of them.

If, then, Mr. Chairman, these islands are such a prize, a prize that all commercial nations would like to possess, why shall we not hold them? Are we lacking in courage to hold them? Are we lacking in ability to govern them? Are we lacking in capacity to profit by them? Are we inferior to the English, the Dutch, the Germans, and the French?

OUR TREATMENT OF THE FILIPINOS.

Mr. Chairman, let us rise to the height of this great occasion. Let us have faith in our destiny. Let us have the courage of the heroic men who fought in our ships at Cavite and Santiago, and in our armies at Manila and El Caney. Let us not cravenly throw away the rich prizes won for our country by the blood and sweat of our heroic Army and Navy. Let us not fear the scaffold of sacrifice, for—

That scaffold sways the future,
And behind the dim unknown
Standeth God within the shadow,
Keeping watch above his own.

Oh, but, we are told, they are in rebellion against us. The Indians frequently rise in rebellion, but do we abandon the Indian country for that reason? The natives frequently rise in rebellion against England, but does she withdraw her troops and sail away? No; she treats the rebels as a stalwart teacher treats rebellious scholars—thrashes them into good behavior. The natives of Madagascar recently rebelled against the French, and what did France do but reduce them to obedience.

To hear some men talk you would think that we were going to make slaves and vassals of the Filipinos and intended to deny them the natural rights of human beings. To hear others talk you would suppose that the moment the treaty is ratified the Filipinos will become full-grown American citizens, with all the rights, powers, and privileges of American citizenship, and that in a few months we shall have Filipino States and Filipino Senators and Representatives. The men who talk this are either deceived themselves or are aiming to deceive others. They conjure up monstrous phantoms from the depths of their imagination, and try to make others believe they are substantial realities.

But, Mr. Chairman, it may be that on further and fuller investigation we will decide not to retain the Philippines. That is a question for the future, when we shall better understand them and they shall better understand us. In the meantime they will be our territory if the treaty is ratified, and being our territory, we will govern it, and govern in a manner worthy of a free and a Christian people. But while they belong to us they must obey our laws and respect our flag, and if they do not they must be compelled to do so; and if bayonet and ball be necessary, the fault will be theirs.

OUR COUNTRY'S GROWTH.

But some one asks, "Why spend so much time discussing the right of annexation if we are not going to annex them?" Mr. Chairman, I am glad to answer that question. I am an expansionist. I favor extending our territory. I believe in national growth. I rejoice that we have expanded from the Potomac River to the Mississippi, and from the Mississippi to the Pacific Ocean. I do not believe that the God of nations has erected any ne plus ultras on either the shores of the Atlantic or the shores of the Pacific, on either the borders of the northern lakes or on the coasts of the Mexican Gulf.

This being my belief, I want to do all I can to batter down any teaching that implies a want of power in our country to grow, to expand, whether that expansion be on the land or on the sea. When God made us a nation, He gave us the right to grow; and when we cease to grow we will begin to die. The descendants of the sea kings are not afraid of the sea. The sea was the empire of their ancestors and will be the empire of their sons. We have but begun to plant our footsteps on the sea—

And ride upon the storm.

Mr. Chairman, we want accurate information about the Philippines and their inhabitants. We have not got it, and we ought not to act without it. Therefore, delay is necessary, to the end that we may understand the facts existing in those islands. Those islands are numerous, they are large, and they are populous. Now, what is the situation there? We are in possession of the city and bay of Manila. We have in effect compelled Spain to turn those islands over to us. There are in those islands, in round numbers, I may say, 500,000 civilized people, many of them Europeans, Christian people, living pretty much as we live in this country. Now, Mr. Chairman, having driven Spain away from protecting these people—

Mr. HENRY of Mississippi. May I ask the gentleman a question?

Mr. GIBSON. Certainly.

Mr. HENRY of Mississippi. You say that we have driven

Spain away from the Philippines; but is it not a fact, do not the papers this morning state, that there are very strained relations existing between General Otis and the insurgents, with a strong probability of a conflict, showing that we have not got possession of the islands, as the gentleman states.

A STABLE GOVERNMENT NECESSARY.

Mr. GIBSON. The gentleman misunderstood my remark. I said we have driven Spain away from the city and bay of Manila, not that we have actual possession of the Philippine Islands. I am talking about 500,000 civilized people on those islands.

Mr. HENRY of Mississippi. I am asking about Spain's occupancy of the islands, and about the insurgents' belligerent attitude. What are you going to do about that?

Mr. GIBSON. Wait a while and you will hear what I think about that, and it will answer your question. You will get fully posted on my views. I am just reaching that point, but I am not jumping. I am crawling on my hands and feet, so to speak, and trying to deal with this question soberly and in the light of experience, realizing the gravity of our responsibilities there and anxious to know how we shall meet them.

We owe a duty to those civilized people and property owners throughout the Philippine Islands. Are we going to turn the city of Manila and turn these civilized Christian people over to the Filipinos to be looted, to be plundered, to be destroyed, and, it may be, to be massacred? That will outrage the public conscience of mankind and disgrace the civilization of the century in which we live.

We are obliged to stay in the Philippine Islands until we have quieted affairs in all of them. As to the permanent occupation of these islands, that, as I have already said, is another question. That is a question none of us are to-day in a condition to deal with as statesmen. We may deal with these questions as politicians and we may deal with them as newspaper editors, but we are not in a condition to deal with these questions as statesmen until we thoroughly acquaint ourselves with all the facts of the situation there existing.

I take it, Mr. Chairman, that there is no man on this floor, or on the floor of the Senate Chamber, who has yet thought of incorporating the Philippine Islands into what might be termed the body of the United States of America. And so all this talk about the awful results of taking the Philippines into our embrace, assimilating them, making them a part of our country, and having Philippine representatives on this floor and Philippine Senators at the other end of the Capitol is nothing more than a bogey which men have created out of their own imagination, and are either themselves scared at this creature of their own fancy or are trying to scare others with it.

[Here the hammer fell.]

Mr. HULL. I yield ten minutes more to the gentleman from Tennessee.

THE FILIPINOS MUST RESPECT OUR FLAG.

Mr. GIBSON. Mr. Chairman, I glory in liberty; and if these Filipinos are capable of a free and stable government, I am one of the last men that will put a straw in their way. I hope they are capable of a free and stable government. I hope they will be able speedily to fit themselves for national independence. I take it that is the sentiment of the party to which I belong. I take it that is the sentiment of the people of the United States; but, Mr. Chairman, we can not run away from these islands. We can not be driven away from these islands. We are there. We are there rightfully. We are there to stay until our mission of humanity is accomplished, and we will not leave before.

When our flag comes down in the Philippines we must lower it ourselves—lower it in our own good time and in our own way, lower it in obedience to our own law, and lower it with honor and with glory. [Applause.] Where is the man on that side of the House that wants to see the Stars and Stripes of the United States pulled down in the nighttime and tucked under some soldier's coat, while he swims away to a ship in order that he may flee to America. No, sir; we want our flag lowered in the Philippines, if the time ever comes for it to be lowered there, at least as honorably as the flag of Spain was lowered at Havana. We want to leave there, when we do leave, a stable government and a free government, and we want to have a sister republic; we want to leave the Philippines as friends and not as enemies.

But if these Filipinos attack our Army, if they attack our Navy, we must teach them, as we teach all other people under God's skies, that that flag will never be assailed without defenders. [Applause.] Having smote down the lion of Spain we will not submit to insolence or ingratitude on the part of its cubs.

My solution of the Philippine problem is this: If those fifty or sixty thousand people out there who are claiming to represent 7,000,000 people, if they get a little too fresh, I would squelch them; I would turn enough grapeshot and canister into their ranks to teach them that the American Army and the American flag are not things to be trifled with, and that they who interfere with us do so at their peril.

NUMBER OF SOLDIERS NEEDED.

But having suppressed these insurgents, or having succeeded in causing them to subside, we will proceed to inaugurate a government there, a government as free and as much their government as they are capable of having. If they are capable of a perfectly free government, all the better; I will rejoice at it and will join my hurrahs with theirs. But until that day comes, until a stable government of their own can be maintained in the Philippine Islands—until that day dawns we owe it to mankind, we owe it to civilization, we owe it to Christianity, that the Stars and Stripes, the emblem at once of liberty and security, shall float there and float supreme.

Now, in conclusion, Mr. Chairman, in order to carry out all of these various programmes in Cuba and Porto Rico and in the Philippine Islands, we need an army, and an army large enough to control them and maintain order. We need an army large enough not only to awe all disturbers of the peace, but to notify all the nations of the earth that we are not in a mood to be trifled with in this business that we have undertaken in the cause of liberty and humanity.

How many men will we need in our Army? Our military authorities say we will need 30,000 in Cuba, 30,000 in the Philippines, 5,000 in Porto Rico, and 1,000 in Hawaii—66,000 outside of the United States, and within the United States 40,000; 106,000 in all. This bill proposes a maximum of 100,000. Not that we are to have that number permanently and in times of peace, but to have them when by the President deemed necessary. The bill provides that soldiers may be enlisted in Cuba, Porto Rico, and the Philippines, so that the natives of these islands may take the place of Americans there as soon as possible.

I have already stated that I prefer regular soldiers for garrison duty. Our volunteers did not enlist for garrison duty. They enlisted to drive the Spaniards out of Cuba. This they have done, gallantly done, and in the doing of it they have added another chapter of glory to the American name. And the whole Army and the whole Navy share in this glory, those who did none of the fighting as well as those who did some. Those who remained in the United States as well as those who crossed the sea. And now these volunteers having thus nobly done their duty, having honorably complied with their contract, and gloriously fulfilled their mission, they will be entitled to their discharge as soon as the treaty of peace is ratified by the Senate.

NO FEARS OF A STANDING ARMY.

This being so, Mr. Chairman, it is our duty as soon as possible to pass this bill so as to put regulars in the place of the volunteers, and let the volunteers return to their homes.

But we are told on this floor that a large standing army is dangerous to our liberties and will revolutionize our form of government. Mr. Chairman, I am now 61 years old, and all my life I have been hearing or reading of the many dangers to our liberties and Government either hanging over us or just a little ahead. When I was younger I was alarmed at the awful predictions of the men who saw the ruin of the United States just ahead, but now that I am older I laugh at them. The ruin of our country has always been just ahead ever since we started, over one hundred years ago. The Constitution in the beginning was declared to be a mere rope of sand, would not last twenty-four hours. In the beginning the Democrats were the prophets of evil, but after they got into power the Federalists became the prophets of evil, and now the Republicans are in power the Democrats have again begun their evil prophecies.

We have had our Jeremiahs all along the line, lamenting that the ruin of our country was just at our doors unless their counsel was observed, but we are not ruined yet. Instead of being ruined we have prospered, prospered more than any other nation that ever existed, and, what is strange, the more the prophecies of evil the greater our prosperity. And we are still moving on and moving up, conquering and to conquer. The stars in their courses have been fighting on our side, and Destiny has pronounced an irrevocable decree in our favor.

There are great truths that pierce their shining tents
Outside our walls, and though but dimly seen
In the gray dawn they will be manifest
When the light widens into perfect day.

VICTORY AND GLORY AWAIT US.

But, Mr. Chairman, notwithstanding the thousands of predictions of trouble the cowards and carpers have made, notwithstanding the obstacles the critics and false hearted have put in the pathway of national progress, notwithstanding the weepings and lamentations over "existing conditions" of danger or misfortune, the great American Republic, like a mighty ship on a stormy sea, has sailed on in safety and in every instance reached the port of its destination floating aloft the flag of victory and national glory.

Some say a regular army will destroy our liberties. There is no danger of our own Army interfering with our liberties as long as the people put patriotic men into the House of Representatives.

And when these troubles are all over, as I hope they will be in a year or less, then this House will see to it that our Army is reduced. The people through this House will always control the Army, and the day will never come when the Army will control the people.

Let us trust some things to somebody else. Let us not think that we are the people and that wisdom and patriotism will die with us. I tell you, my countrymen, there will be wise men and patriots here after we die, as there were wise men and patriots here before we were born. And if the time should ever come when our own Army will destroy our liberties, then we shall be a people whose liberties will not be worth preserving. Men sprung from the loins of our people—men of this free land of ours—are not going to interfere with our liberties. They are going to uphold our liberties; they are going to strengthen our liberties; they are going to make us stand with more honor and strength among ourselves and with more glory in the sight of mankind. Let us show the world, Mr. Chairman, that we are a nation and that we have a nation's powers and a nation's rights, and intend to discharge a nation's responsibilities and a nation's duties; and let the other nations of the world take notice that we demand a nation's respect. [Applause.] And our country can not well do this without having a sufficient military force, an army adequate to every emergency and a navy equal to every exigency. Then will we be able to bid defiance to the tyrants of the world, and be better prepared to promote the civilization of mankind and strengthen liberty throughout the earth. [Applause.]

The Dingley Duty on Wool.

Full Explanation of the Present Situation—The Law Has Worked Admirably, but Its Effect Was Impeded by Opposition to the First Dingley Bill.

SPEECH

OF

HON. CHARLES H. GROSVENOR,
OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 10, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes—

Mr. GROSVENOR said:

Mr. CHAIRMAN: I do not intend to discuss the items of this appropriation bill, nor yet to reply to any of the arguments made on the other side upon what is popularly termed the question of expansion.

In the early months of this Congress, to supply the place of the Wilson tariff law, which was repealed by the act of Congress, we passed what is known as the Dingley law, and from the latter days of July, 1897, until to-day it has been the law of the land so far as relates to the subject of the customs and the revenues of the Government derived from that source. In the preparation and final passage of that bill there was discussion upon the subject of the tariff upon wool. The Wilson bill, as will be remembered, had a free-wool provision which had been brought about by the tendency of the Democratic Congress that passed it, looking to what they were pleased to call free raw material.

Almost cotemporary with the election of the Fifty-fifth Congress and the new Administration there were everywhere indications of enormous imports into this country. For a number of months nearly all the shipping that could be employed to carry transoceanic commerce brought to this country foreign products and placed them in the hands of consumers or hoarded them in the warehouses of the Government. These anticipatory imports were generally of articles which under a protective-tariff system bear a duty, and which under the tendency of our friends on the other side to free trade come into the country free. Conspicuous among those articles was wool. We consume in this country something like 300,000,000 pounds of that article every year over and above our own production. And so it was that at once upon the election of the Republican Administration the influx of wool from foreign countries became one of the most significant features of our import trade.

Shortly after the convening of the short session of the Fifty-fourth Congress these indications had become so significant that it was proposed by the Ways and Means Committee that a tariff bill for the purpose of raising a larger amount of revenue, as well as for certain incidental purposes, should be passed by the Congress, and so in furtherance of that design, a bill was introduced into the House by Mr. Dingley and reported from the Ways and Means

Committee. Nearly all of the importations were taxed at about 25 to 40 per cent of the rates in the McKinley law, but when it came to wool, because of the fact that we were then having free wool, and because of the further fact that it was perfectly understood that it was the design to flood this country with an overimportation of wool, that bill provided for 60 per cent of the duties imposed by the McKinley law. This was done expressly for the purpose of checking the influx of wool which we understood was being made ready and which was watching over our border to see what was to be done by Congress upon that question.

That bill passed the House of Representatives and went over to the Senate. Had it become a law, I think no man will doubt that it would have practically prevented the importation of wool into this country.

Mr. WALKER of Massachusetts. In excess of the demands of the country.

Mr. GROSVENOR. In excess of the demands of the country. What I mean by that is that there would have been no wool imported into this country for the mere purpose of looking forward to a coming market beyond the current demands of the manufacturing trade. Because of certain documents which I hold in my hand, wherein a very distinguished organization in this country have assailed the Dingley law now on the statute book as inadequate to the protection of the wool interests, I want to point out that it was due more to the action and labor of the president of the American Wool Growers' Association that this first Dingley law was defeated in the Senate than to any other cause.

He came here and demanded that that law should be defeated because it did not furnish ample protection to the wool interests. It had been put in the Republican platform of 1896 that we favored ample protection to the woolgrowers of the United States, but we found ourselves in the exact condition which I have described, a position that called upon us to do something to prevent the anticipatory importations of wool into the United States.

The fact lies at the door of that distinguished gentleman and his coadjutors in the Senate of the United States that it was uncontested largely through the men representing woolgrowing constituencies that that beneficent measure was allowed to perish in the committee room. The specious argument which has been so often answered—that third-class wool, carpet wool, was not fairly and adequately protected—was used with great ingenuity and much persistency upon the men representing States which alone, if there are any such, do produce third-class wool. I have stated often enough upon this floor, and I am ready to demonstrate it to-day, that we do not produce in the United States 3 per cent of the carpet wool which we are using and manufacturing, and that more than 97 per cent of it is imported from foreign countries.

Mr. STEELE. Will the gentleman allow me to ask him a question?

Mr. GROSVENOR. Certainly.

Mr. STEELE. Speaking of these men, and the representation of the officers of the organization, and the effort the officers made to defeat the bill of which he speaks, I want to ask the gentleman if they were sustained by the majority of the members of the association?

Mr. GROSVENOR. I happen to know it was far from it; and I know that the Wool Growers' Association of Ohio afterwards in strong language repudiated the whole action.

Mr. STEELE. That was my impression.

Mr. GROSVENOR. It was done. And standing as I did in favor of the measure and the effects which I have indicated I never had a stronger support or stronger indorsement than I had from the intelligent woolgrowers of Ohio.

But I propose to show now that at the door of that opposition, unauthorized as I think it was, self-assumed as I think it was, arrogantly self-assumed, lies the misfortune, if there is any, that the wool trade of this country is suffering.

Now, Mr. Chairman, having thus defined and outlined my purpose in taking the floor, I do not desire to interrupt the course of this debate with any elaboration at this point; and I give notice, although I think it is not necessary, that I shall fully elaborate with figures to show the importations, with figures to show that at the date of the passage of the Dingley law there was by actual overimportation in this country a supply of wool equal to the demand for two long years; and then I will show that to-day the leading product of American farms in wool is double the price that it would be were it not for the protection afforded by the second Dingley bill. In other words, I will show that the great product of the great Central States in wool is selling, as its duplicates are selling in the London market to-day, at 11 cents, while they are worth in this country 22 cents, the difference being made up by the tariff protection afforded by the Dingley bill.

Mr. Chairman, I have been from the time I first entered Congress willing to do everything in my power consistent with my duty to the people at large to improve and benefit the situation of the woolgrower. I have looked upon the production of wool in the United States not only from the standpoint of a friend

of agricultural prosperity, but, furthermore, as appreciating keenly the necessities of a nation to produce its own supply of wool. A nation without ships would be incomparably stronger, all things else being equal, than a nation without the power to produce its own supply of wool; it would be worthless in war and a contributor to other people's riches in time of peace.

Those of you who have been members of this House during the past six years will testify how strenuously I have upheld the interest of the woolgrower. Those gentlemen with whom I was associated in the winter of 1896-97 in the preparation of the Dingley bill will not need to be told of my position and untiring labor in behalf of the interest of the woolgrower. The gentlemen of the opposition on this floor who participated in the battle against the Dingley bill will be equally possessed of the necessary information, and the committee of conference of the two Houses of Congress which sat through those memorable ten days of terribly hot weather in July, 1897, will all testify how untiring and persistent I made the battle. This much I have said because of the readiness with which people sometimes rush into a contest and assail the action and motives of those who honestly differ from them upon a public question.

It is a matter of common knowledge that the point in the McKinley law which received the hardest attack of the enemies of protection was the wool schedule. It was claimed that the woolgrower had received more than adequate protection and that that protection was to be had at the expense of the common people of the country—consumers of woolen materials. It was not true in fact, but there was more or less hostility to the high rates of duty which not only emanated from those who were supporting for political purposes the interests of the common people, but there was the wool manufacturer, powerful in influence, wise in knowledge of situations, and persistent in representing his own interest, and he joined in the great clamor that went up all over the country that the people were to be taxed beyond reason in the interest of a single agricultural product.

I never joined in that cry, and always defended the woolgrower; I believed that his rights and interests were vastly superior to those advocated on the other hand. But the McKinley law was repealed, and on its tombstone might, with absolute propriety, have been ingrafted, among other things, "Died with overtaxation upon imported wool." But it was not long before the people of the country began to realize the fallacies and absurdities of this taxation, and in the great reaction in favor of protective tariff, which came along with the election of McKinley and the reestablishment of Republican control in the House, came a reaction upon this question of the tariff on wool, and I with others, representatives of that great industry, and the fair-minded men here representing all interests, succeeded, not without a very great struggle, however, in securing the rates of duty borne now upon the statute books of the United States. Schedule K of the Dingley law is a far better protection to the wool of this country than was any other statute ever enacted since 1867. It was the last fraction of a cent and the last possible improvement of a schedule that could have been made in the Fifty-fifth Congress, and it was only after days and weeks of unparalleled effort that the concession which produced these figures and this language was made.

But now, from a certain source of authority the Republican party is charged with having been unfaithful, even with all this, to the woolgrower, and small gatherings of woolgrowers have been held here and there that assailed the Dingley law and charged unfaithfulness upon the part of the men who supported it and intimating that the manufacturer has received more than his share of benefit. This in the face of the fact, as I will demonstrate, that the manufacturer is paying double price for a large class of wool, the advance being caused solely and alone by the tariff in the Dingley law; but I am going to give the enemies of this enactment a hearing in this connection. Whatever else I may be charged with, I will never be charged with unfairness toward an opponent, and so I here reproduce a letter from Judge Lawrence, which no doubt states his case as strongly as it is possible for him to state it:

BELLEFONTAINE, OHIO, November 11, 1898.

MY DEAR SIR: You are reelected to Congress, as, of course, I knew you would be. I have just received the Boston Wool and Cotton Reporter textile number of November 10, and the editor says that, by reason of the low price of wool, some of the Western newspapers are saying that it is the effect of the goldbug policy. The editorial further says that "some Wyoming wool now lying in store in Boston can not be sold for more than 10 cents per pound, though the consignors claim that they were sold earlier in the season to hold for 16 cents, and though it is reported that 12½ cents could have been obtained at the shearing pens in April."

New corn is selling here at 30 cents per bushel, fat hogs at \$3 per hundred, fat cattle at \$4.50 per hundred. Good merino X unwashed wool sells here for 17 cents per pound. Farmers are not prosperous, and the election next year will find many of the farmers against us unless something is done to improve their condition. If you will aid the woolgrowers in striking out the skirting clause of the Dingley Act and in imposing the same duty on goat hair that was imposed in the McKinley Act and will help us to increase the duty on third-class wool, much of which is used in the manufacture of clothing, and will help us to secure the same duty on wool imported on the skin as in other wool, this will help very much.

I suppose you have noticed that Mr. North, in his last report, says that under the present tariff law he does not hope or expect that sheep will increase east of the Mississippi River. He did not tell you this when he was getting an enormous tariff for the wool manufacturers and the very inadequate tariff on wool. He concealed that until after the East had procured ample protection for themselves and their inadequate protection for the woolgrowers. The wool tariff is the most difficult to understand of any in the tariff schedules. If you expect to oppose the woolgrowers and the changes I have suggested, it is possible our efforts to get an improvement in the wool tariff will be of no avail. If you deem it proper to advise me as to what course you will pursue, I will esteem it a favor.

Respectfully, yours,

WILLIAM LAWRENCE.

Hon. C. H. GROSVENOR.

If you would subscribe for and read the Monthly Bulletin of the National Wool Growers' Association, and procure the back numbers for the current volume, I believe you will be persuaded to aid us in all we ask.

Respectfully,

W. L.

And in this same connection I propose to publish Judge Lawrence's letter of November 15, 1898, in which he again makes the strongest indictment that he possibly can make with all his great ingenuity and wonderful knowledge of the details of this question:

THE DINGLEY WOOL TARIFF IS UNJUST TO WOOLGROWERS—IT SHOULD BE IMPROVED.

Editor Wool Markets and Sheep:

Your issue of November 15, 1898, publishes several letters from sheep breeders, in view of Thanksgiving Day, and giving reasons why they are thankful.

They all very properly give thanks that the free-wool act of August 28, 1894, has ceased to work its ruin on sheep husbandry and that the Dingley wool tariff of July 24, 1897, has to some extent improved it. There are only two woolgrowers in the United States, so far as I have learned, who seem satisfied with the low, inadequate protection given to wool by the Dingley Act. H. A. Daniels, secretary of National Lincoln Sheep Breeders' Association, in his letter in Wool Markets and Sheep, says we have "a tariff on wool that makes the breeding of sheep profitable once more." I think the governor of New Mexico recently expressed a nearly similar idea—"Et tu, Brutus."

These expressions will do more injury to the cause of inadequate protection for wool than can be repaired by 50,000 woolgrowers. They will be quoted by New England advocates of low wool duties and used in Congress against us. It is to be noticed Mr. Daniels does not say that the Dingley wool tariff makes woolgrowing profitable, but only "the breeding of sheep." He is a breeder of mutton sheep, and sheep breeding has been for a year past moderately profitable, for two reasons:

First, the shortage in the supply of cattle has made an increased demand for mutton and mutton sheep, and

Second, the reduction of some ten or twelve million sheep under free wool left the supply of mutton sheep inadequate.

But mutton sheep will soon be increased in such numbers, and cattle also, that soon the price of mutton will be reduced.

The permanent prosperity of sheep husbandry can only be maintained by making woolgrowing profitable. Then even with moderate prices for mutton—a blessing to the poor of our cities—sheep husbandry will prosper.

Under the low, inadequate Dingley wool tariff wool does not and will not command a fair price.

Then the Chicago price current November 19, 1898, for wool was as follows:

OHIO, INDIANA, AND KENTUCKY UNWASHED.

	Cents.
Fine choice	17 to 19
Fine average	17 to 18
Half-blood clothing	20 to 21
Three-eighths blood clothing	20 to 22
Quarter-blood clothing	20 to 21
Coarse clothing	19 to 20

TERRITORY WOOLS.

Washington fine	10 to 11
Washington fine medium	11 to 13
Washington medium	13 to 15
Idaho fine	11 to 13
Idaho fine medium	13 to 14

The prices on farms and ranches are all of 2 cents per pound below these prices. These prices will not make woolgrowing fairly profitable.

Mr. North, the secretary of the National Association of Wool Manufacturers, who was an active lobbyist against woolgrowers when the tariff bill was pending in Congress, in his recent annual report said of the effect of the new wool tariff:

"We do not anticipate any change in the steady diminution of sheep east of the Mississippi."

He should have said woolgrowing will not be fairly profitable any place unless the wool tariff be improved.

He also said the Dingley tariff gives the wool manufacturers "the best protection they ever had."

Edward A. Greene, an eminent wool expert of Philadelphia, says the Dingley law "is the worst wool-tariff law we ever had."

It is much less protective than the McKinley Act of 1890. The woolgrowers of the United States will insist that the next Congress shall improve the Dingley wool tariff so as to give better protection. It is full of loopholes for fraud. It is a vile fraud on woolgrowers.

I congratulate the woolgrowers that Wool Markets and Sheep has repeatedly advocated such an improvement of the Dingley law as will give better protection to woolgrowers.

If woolgrowers will not act in concert and assert their rights, they can not hope for an improvement of the Dingley law, and they may expect New England manufacturers to continue the unjust advantage they have.

WILLIAM LAWRENCE.

President of the National Wool Growers' Association.

Now, let us see what is the answer, and it will be seen that the philosophizing of the distinguished gentleman all hinges upon the fact that the wool of this country is not as high as it was believed it would be when the Dingley tariff bill was passed, and that he who cried out against the passage of that measure and tried to defeat it is now heard to array the woolgrowers, if possible, against the Dingley law, and incidentally against the Republican party.

On the 31st of December last Mr. Theodore Justice, well known to the people of the United States, wrote a letter to Governor

Wallace, of New Mexico. I may in this connection state that if there is one man who, above all other men in the United States, is the friend of the woolgrower and the staunch and sleepless advocate of protective duties on wool, it is Theodore Justice. He made his appearance before Congress at the request and upon the introduction of Hon. William Lawrence, acting officially as the president of the National Association of Wool Growers, who informed us that Mr. Justice was authorized to represent the great industry for whose promotion his association existed. I here reproduce a statement from the American Sheep Breeder of January, 1898, connected with the introduction by Judge Lawrence of Mr. Justice. It will show how well this man is capable of speaking for the woolgrower:

Mr. Theodore Justice, the senior partner of Justice, Bateman & Co., wool commission merchants of Philadelphia, has probably done more to secure protective tariff legislation for wool than any other man in the United States.

Through the request of the late Hon. Columbus Delano, the former president of the National Association of Wool Growers, Mr. Justice was induced to become one of the directors of the American Protective Tariff League, which has done so much in shaping public opinion throughout the country in favor of developing home industries.

Messrs. Justice, Bateman & Co. issue a wool circular, which for twelve years, at least, has largely shaped public sentiment with regard to protective duties upon American wool.

Judge Lawrence in speaking of this circular during the Presidential campaign said that "it is doing more to elect the Republican candidate than any single newspaper in the country."

Mr. Justice has had experience both as a wool grower and manufacturer—as a grower when a lad on the farm and as a manufacturer as president of the Yeadon Woolen Mills Company. The firm was compelled to take this property for a bad debt. They ran the mill until they worked out their claim and then wound it up, selling out the machinery, and have never since had any direct interest in a woolen mill, but the development of the American woolgrowing industry has ever been uppermost in the mind of Theodore Justice, the subject of this sketch.

At the time the Committee on Ways and Means was formulating what afterwards became the disastrous Wilson tariff law Theodore Justice appeared before it to deliver an argument against the removal of the McKinley duties. He was the only representative appearing in behalf of the woolgrowing interest. He was introduced to the committee by an autograph letter from the Hon. William Lawrence, president of the National Association of Wool Growers, informing them that Mr. Justice was authorized to represent the great industry for whose promotion his association existed.

In the early part of the year 1897 Mr. Justice again appeared in the interest of the American woolgrower before the Committee on Ways and Means when Mr. Dingley was its chairman. This time Mr. Justice was listened to most attentively by a more sympathetic audience. A prominent New England manufacturer who was present, who had not always agreed with Mr. Justice as to the amount of wool duty that ought to be imposed, remarked to a friend that "it was one of the best speeches that he had ever heard," and that it "must have taken Mr. Justice a long time to prepare" and "must have involved a great deal of exhaustive research."

The American Economist, of New York, said: "It is doubtful if a more able statement was ever made before a legislative body in this country touching the scientific scope of protection as affecting the great wool industry and the operations of the opposite policy than was given by Mr. Theodore Justice, of Philadelphia, in his argument."

The Philadelphia Press, on the day following the tariff hearings, in alluding to the same, said: "Probably the best argument ever presented was that of Theodore Justice, of Philadelphia, who spoke for an hour and a half. No one has as yet appeared before the committee who has been listened to more closely, nor has any one yet been able to make a statement so well indorsed by woolgrowers and wool dealers. Mr. Justice was armed to the teeth with statistics and showed beyond dispute, by official records and testimony of experts, what had been the actual loss to the American farmer and woolgrower. Some of the Democratic members endeavored to cross question him, and they were glad to drop him, as he was too thoroughly posted to be shaken upon any of his arguments."

Mr. Justice is not a manufacturer; has no interest in manufacturing. His sole and only interest is in the welfare and prosperity of the American woolgrowers. If they do not prosper, he can not prosper; and coming as he does thus indorsed by Judge Lawrence, his testimony and contribution to the present condition is worthy of all merit. I here reproduce his letter:

DEAR SIR: I have read your article in the American Cotton and Wool Reporter of the 22d instant called "The Evolution of Schedule K."

You write with much force and clearness, but I think you make a mistake in attacking the Dingley tariff act. Your kick is not against that law, which is working well, considering that there were 1,233,000,000 pounds of free wool, shoddy, etc., imported during the Wilson period. All your troubles come from that and not from any other source. The Dingley tariff act is a better law for the woolgrower than was the McKinley law, and if the little Dingley tariff bill, which was defeated by the Silver Republicans because they said Judge Lawrence advised them it was inadequate, had been passed, you would have been better off than you are to-day. It would have acted as a stop gap and would have kept out this enormous flood of foreign wool. We drained the world of its wool supply, and the American woolgrower to-day is compelled to hold his wool until this enormous supply of free wool is exhausted.

In 1894 there were 71,000,000 pounds of wool imported during the four months of the Wilson tariff, and 4,000,000 pounds of shoddy, rags, waste, etc., so that the total imports of wool and shoddy during the Wilson period were 223,000,000 pounds. Of this amount 100,000,000 pounds were in the condition of scoured wool, equal to at least 300,000,000 pounds of American wool in the condition in which it is sent to market. Therefore, measured by American wool, we practically brought out from foreign countries during the free-wool period 1,123,000,000 pounds of wool, and as the mills have mostly been running upon it, only placing it out with American wool when necessary, the supply is approaching its end, although there is still a great deal of it on hand.

The consumption during the three years 1895, 1896, and 1897 was about 1,210,000,000 pounds, only about 97,000,000 pounds more than the free-wool imports if reduced to the condition of American unwashed wool. Besides this supply, there were 823,000,000 pounds of American wool produced during the three years 1895, 1896, and 1897, which has to be added to the 1,123,000,000 pounds of foreign brought out during the Wilson-law period, and you then have the stupendous supply of 1,949,000,000 pounds of wool for that period, with a consumption during that time of only 1,210,000,000 pounds. We therefore began

the year 1898 with about 789,000,000 pounds on hand at that time, all told, making allowance for the scoured wool brought out during the free-wool period as being equal to American unwashed. If we count the imported wool only as so much wool according to the custom-house records, we still have unused of this wool about 411,000,000 pounds, which is the amount left on hand with which to begin 1899. If the scoured is considered as unwashed, we will begin with 611,000,000 pounds.

We are already at the importing point on Shropshire wools, but are not there yet on merino wools. The reason Shropshire wools have reached the importing point is because there was no excessive quantity of wool of this kind imported, and what was brought out has mainly been used. Shropshire wool in England has dropped about 27 per cent since 1892 and 21 per cent since 1896, but owing to the Dingley tariff act the same grade of American wool, viz, quarter-blood unwashed combing, is only 16 per cent below prices current in 1892, but over 44 per cent higher than 1896. At that time (1892) there was no reason to expect tariff changes, and business was normal when the tariff was the same as it is to-day. Therefore it is logical to assume that American prices should bear the same relation to Shropshire wool in England that they bore to prices abroad in 1892, when the tariff was the same as it is now. According to this the Dingley tariff has already lifted the price as much as it can or will on this grade. With merino wools, however, the situation is different.

The price of merino wool in Europe is just the same as it was in 1892, but we are over so much below 1892 prices in the United States on merino wools. The fault is not with the Dingley tariff act, but it is with the \$23,000,000 pounds of free wool that came in during the Wilson tariff act. This \$23,000,000 pounds, if the scoured wool among it was reduced to unwashed wool in the condition it is brought to market by American farmers, would be the equivalent of 1,123,000,000 pounds of unwashed wool. Here is where the woolgrower has his kick, and this alone is the cause of his dissatisfaction, and it is a mistake to assail the Dingley tariff act, which is not to blame. Pour out your wrath upon the true cause of your disappointment. When you attack the Dingley tariff act you attack the woolgrower's best friend, and if it is repealed it will be a long day before he can again enjoy anything that is as good.

We are already beginning to hear mutterings on the part of importers who have disposed of the free wool imported and pocketed their profit, and now they see their 60,000,000 pounds of wool in the United States custom-houses which they can not touch, as to pay the duty upon it and take it out of bond for consumption would involve a loss. These people are beginning to talk about the tariff being too high. If the woolgrower is to attack it from his side and the wool importer from his side, nothing but calamity to the American woolgrower can be the outcome. Buckle on your sword and hack away at the cruel policy that repealed the McKinley Act. Judge Lawrence is not entirely blameless for the repeal of the McKinley Act, for he assailed it as an unsatisfactory measure, denouncing it as a cheat, thus helping free traders to win, and attacks made upon the Dingley tariff act will be accompanied by no better results than followed the unwise attacks upon the McKinley law, the best tariff laws, in my judgment, and they were almost twin brothers, this country ever had or ever will have.

Yours, truly,

THEODORE JUSTICE.

Mr. GEORGE H. WALLACE,
Santa Fe, N. Mex.

I here publish a statement from the London auction sales which will give the key to my position in regard to American wool to-day:

LONDON AUCTIONS.

The sixth and last series of the London wool auctions for 1896 opened on the 29th ultimo, with a decline of 5 per cent in such low medium and coarse wools as are clipped from mutton breeds, but with practically no change in merino and half-blood merino wools. As measured by No. 60's tops (merino wool scoured, carded, and combed), prices in London are now the same as in 1892, so that the importing-point price for wools of Merino blood, including fine crossbreeds, is indicated by the quotations for 1892, and as given below.

Owing to the foreign decline in coarse wools, domestic prices now seem to be as high as they will be, unless there should be an advance abroad. The full price-lifting effect of the 11-cent-per-pound duty imposed by the Dingley tariff act on low crossbred unwashed wool has now been felt—that is to say, such American quarter-blood and common combing wools as were recently selling here at 23 cents would not, at this date, be worth over 11 cents in London, because tops of 40's quality (which are quarter-blood wools scoured, carded, and combed) are selling there at about 21 cents, and to produce top at that figure would require the sale in the London market of American unwashed fleece at about 11 cents.

The method for testing the benefit of the price-lifting effect of our tariff upon any grade of wool is to compare its value in London with the selling price at the same moment in the United States. Merino wools are not yet up to the importing-point price, because of their excessive importation during the free-wool period. An advance of 30 per cent in merino wools in the United States must take place before they can be undersold by foreign. This explains the almost entire absence of American buyers from the present London sales.

Outside of a few varieties not produced here (mainly carpet wools), America has no present need to import wool. It is a noteworthy fact that more than half of the wool imported into the United States during the past year remains in the custom-houses with the duties unpaid.

I will now proceed as well as I may to reply to Judge Lawrence's letter of November 11, which I have given the benefit of full publication, which will go at least as widely as will this speech.

In reply to Judge Lawrence, I would say, in reference to the following sentence, "The editor of the Boston Cotton and Wool Reporter says that by reason of the low prices for wool some of the Western newspapers are saying that it is the effect of the gold-bug policy," that if this is correct we are only undergoing conditions that are world-wide. Shropshire wool—that is, wool from Shropshire sheep—in England is selling at 25 per cent below prices current in 1892, while in the United States the same are only 16 per cent below prices of 1892. The Dingley tariff therefore has lifted the American price 11 cents per pound—that is, American-grown Shropshire wool that is selling here at 23 cents is worth in London 11 cents, just the difference of the Dingley duties between the London and the American price on this grade of wool. If it is "goldbug" policy in Europe and in the United States, it has in no way affected the advantages which the American woolgrower has received from the 11 cents per pound duty of the Dingley tariff act.

Judge Lawrence further complains that some Wyoming wool now in Boston can not be sold for more than 10 cents per pound, although the consignors claim that they were told early in the season to hold the wool for 16 cents per pound, and although it is reported that 12½ cents could have been obtained in their pens in April.

In answer to the foregoing I would simply say that owing to the opposition of Judge Lawrence and others to the original Dingley tariff act of 1896 the country was flooded with free wool, from which we are now suffering, and which alone keeps down the prices of some grades below the importing point. If that measure had been passed as a stop-gap until the present Dingley tariff act could be passed, we would have been spared the drop in merino wool in America, which is only owing to the fact that we overimported of this class of stock under the Wilson tariff act. We then brought out what seems to have been more than a two years' supply. The original Dingley tariff bill was defeated by the votes of Free Silver Republican Senators, who gave as an excuse for voting against it that Judge Lawrence had so advised.

Then, again, Judge Lawrence opposed the present Dingley tariff act and delayed its passage, thereby giving importers and aliens an opportunity to ship wool in in enormous quantities in order that they might pocket the tariff profit. Shropshire wools, which are not fine wools, however, have enjoyed the full price-lifting benefits of the tariff because the country was not overstocked with imported wool of that kind, as it was with fine wool. The bulk of the free wool imported was fine or merino, and but for this the value in the Eastern markets to-day of fine Wyoming wool would have been 16 cents instead of 12 cents. The latter price was offered at the shearing pens in Wyoming by speculators, as they then believed they could resell it before this time at the importing-point equivalent of 16 cents for such wool, which price would have been the full tariff-lifting price of the Dingley tariff act. There was much speculation in wool in the summer, and the growers of Montana especially were paid by Eastern speculators a price that would require them to resell in the Boston market at the importing-point price, but these speculators are now in great distress, for they find that they are unable to resell their wool at the cost laid down in Boston. The successful speculation which they looked for was frustrated by the enormous supplies of merino wool brought in before the Dingley tariff bill was passed.

We do not see that the tariff on wool has anything to do with the fact that corn is selling at 20 cents per bushel, or fat hogs at \$3 per hundred, or fat cattle at \$4.50 per hundred. Good merino wool, however, is selling on the Ohio farm at 17 cents because the importing-point price is only 21 cents to-day, and were it not for the Dingley tariff act its value on the Ohio farm to-day would be only 10 cents instead of 17 cents, the present price, so that the Dingley tariff act, by Judge Lawrence's admission, has raised the price on the Ohio farm 7 cents per pound, and if the original Dingley tariff act had been passed in 1896 as a stop-gap the full importing-point price of 21 cents for Ohio X unwashed could have been obtained there to-day. Therefore the evils of which Judge Lawrence complains have mostly arrived through opportunities which he assisted in furnishing to aliens and importers for glutting the country with a several years' supply of wools free of duty.

He says, "If you will aid woolgrowers in striking out the skirt-ing clause of the Dingley tariff act the farmers will be benefited," but he fails to see that if there are two duties upon wool—a higher one upon skirted and a lower one upon unskirted—all the wool will come in at the lower duty. The duty upon either skirted or unskirted ought to be high enough to protect the American wool-grower against wools which are skirted. The woolgrower would not long receive benefit from the higher duty if the duty upon skirted wool were made higher than it was during the McKinley Act, and the probabilities are that it would be so unpopular that it would not last long. The greatest misfortune that could happen to the American woolgrower would be to again have the wool tariff repealed. The mere agitation of the subject of either higher or lower duties would again open up the whole question, with the doubtful result of the grower eventually securing a bill as good for him as the Dingley tariff act, for it has all the virtues of the McKinley Act and more besides.

Higher duties upon third-class wools would doubtless benefit the grower, but it is doubtful if the agitation of the subject would be wise, for we do not and never will raise carpet wool in this country, and the free traders would again have a chance to assail the Dingley wool duties as they did the McKinley wool duties, on the ground that we have put a protective tariff on the class of wool which we do not and never will produce. This was the argument that Grover Cleveland's people successfully used when they elected a Congress that repealed the McKinley tariff act. Judge Lawrence's complaint against the McKinley Act was used by Democratic speakers to induce woolgrowers to elect the Congress that passed the Wilson law. So it will be again if he continues his attacks on the Dingley Act.

It is true that considerable carpet wool is used in the manufacture of clothing. This is the case all over the world. But America uses as much carpet wool as all the rest of the world put together, and as we do not, and never will, produce carpet wool, it does not seem wise to stifle a great industry already established here, when by so doing nobody would be greatly benefited. Taking the country as a whole, anything that cripples the manufacturer of carpets would be a greater injury to the nation than could possibly be gained by the increase in the carpet-wool duties to the rates asked for by Judge Lawrence.

Wool imported on the skin already pays the same duty as other wool, less 1 cent per pound absorbed by American labor in removing the same from the skin. The cost of this puts wool imported on the skin on the same level of cost as other imported wool of the same kind.

Judge Lawrence complains of a statement made by Mr. S. N. D. North, stating that under the present tariff law he (Mr. North) does not hope or expect that the number of sheep will increase greatly in sections east of the Mississippi. Judge Lawrence says, "North did not tell you this when he was getting an enormous tariff on manufactures of wool."

Judge Lawrence charges North with having concealed that until the East had procured ample protection for themselves, but inadequate protection for the woolgrower. This is not a fair charge by Judge Lawrence. He does not fairly quote Mr. North. He only quotes a part of his statement. On page 6, chapter 2, of the Quarterly Bulletin of the National Association of Woolen Manufacturers, in an able article headed "The United States wool clip of 1893," Mr. North says:

After a year of protection to wool, the coming of which had been anticipated for a year prior to the passage of the act of 1897, is the strikingly small increase in the number of sheep.

He says the explanation is twofold.

First, no matter how great may be the encouragement to sheep growers, the increment from year to year is limited by natural laws, and is further limited by the constantly increasing slaughter for mutton purposes.

In thickly settled localities, and especially near the many large cities and towns in sections east of the Mississippi, the demands for lambs absorb the young stock as fast as produced at prices that make their production for mutton purposes more profitable than their retention for woolgrowing purposes.

Mr. North still further says:

No tariff on wool has shown itself capable of arresting the progressive decline in the number of sheep upon high-priced lands in the East. We do not expect any change in the steady diminution of sheep east of the Mississippi, which has been in progress for thirty-five years. The Eastern farmer can not raise wool in successful competition with the methods that prevail on the Western ranches, any more than he can raise grain in competition with Western methods. It is not foreign but domestic competition which is destroying woolgrowing (except in small flocks) in the Eastern States—that is to say, States east of the Mississippi.

The increase in our flocks is on the ranches, and the higher-priced farms of the East have taken up other branches of agriculture, which their location in the vicinity of large cities promotes. For instance, the manufacture of cheese or butter or other dairy products is possible in the East, which is not possible on the ranches. This diversifies our industries and enables the agricultural classes to prosper, and if we had no tariff at all—as during the Wilson law—the flocks on the small farms east of the Mississippi would be destroyed altogether. The shrinkage in the flocks during the free-wool period was almost entirely in sections east of the Mississippi, and it was much more rapid during the free-wool period than any other tariff act.

Judge Lawrence admits that the wool tariff is the most difficult of any to understand. His conduct during the past three years furnishes ample evidence of this so far as he is concerned, for if he could have had his own way he would have adopted measures that in the end would have made the woolgrower worse off than ever. These methods of opposition are wholly impracticable, and if allowed plenty of rein would have made the wool tariff so obnoxious that its early repeal would have been sure. The disappointment as to current prices to-day can be blamed entirely to the free-wool Wilson law, which permitted foreign nations to send us so much wool free of duty.

In my judgment, the Dingley tariff act is working satisfactorily. With regard to Shropshire or quarter-blood wools, it has already lifted the price as much as it can or will unless prices advance abroad, and were it not that merino wools, as stated above, were overimported (as Shropshire wools were not) it would have lifted the price on merino grades as it has the coarser wools. If the Dingley tariff act is let alone until wool consumption catches up with the wool supply, a time not remote, it will lift the price of all domestic wools to the parity of foreign wool imported under the new tariff.

It will not be denied that there was and is disappointment over the 10 per cent decline which took place between November 1, 1897, and November 1, 1898; but great satisfaction comes to us when we compare the prices in the United States on the 1st of December, under the Dingley law, with those on the 1st of

December, 1895, under the free Wilson tariff. The average advance between those two dates was over 23 per cent, and yet the average foreign decline between those dates was fully 23 per cent. Of course we regret that we are now accepting prices 10 per cent below those refused a year ago; but we must bear in mind that by reason of the Dingley tariff and by operation of that instrument American prices have sustained 23 per cent advance at the same time that foreign wools of like kind and character, including the entire wool product of Great Britain, have scored a decline equal to the advance here, and but for the Dingley Act prices here would have been as low as they are in London. This is the testimony of those who are skilled, and this is a reasonable statement.

All the woolgrowers do not grumble, and I here reproduce and adopt from the Thanksgiving number of the Wool and Sheep Markets, published at Chicago, November 15, 1898, statements of various gentlemen in regard to the subject-matter:

WHY THE SHEEPMEN SHOULD BE THANKFUL—THE YEAR 1898 TO BE LONG REMEMBERED—BOUNTEOUS HARVESTS EVERYWHERE.

[Told by the shepherds.]

It affords us great pleasure to be able to publish the following letters from secretaries and other prominent officials of the different organizations representing the sheep and woolgrowing industry of this country. That the sheepman is truly thankful goes without saying. Never before was he in position to so fully appreciate his prosperous condition as he is to-day. The letters are all good and contain many expressions of true thankfulness. Sheepmen are thankful that they are sheepmen, and they should not forget to render thanks unto Him who has blessed them and made them the most prosperous of all.

LINCOLNS GIVE THANKS.

As Thanksgiving is near at hand, in looking over the blessings of the year I wish to state a few that pertain to sheepmen especially, viz, a tariff on wool that makes the breeding of sheep profitable once more.

Second. A bounteous grain and hay crop that will insure plump and thrifty dams for the next crop of lambs.

Third. Pertains to Lincoln breeders. For having a breed of sheep that is popular with every man who breeds them in their purity, that brings the highest price of any breed, that stands without a peer for crossing on other breeds, and a breed that needs only to be known to be appreciated by everybody. The members of this association report this year of grand sales, a demand for sheep of both sexes that will tax the association to supply and at prices that make the purse plethoric. Therefore, we as an association should unite in giving thanks to the Power that brought such a state of things about.

We are further blessed by having a few periodicals devoted solely to our business and managed by men who are devoted not only to the sheepmen, but are devoted and loyal friends of the sheep. It is a peculiarity of those who are much among the sheep, either they were created so, or associating with the gentle sheep changes their nature, but my somewhat extended acquaintance among the sheepmen leads me to think them as royal and jolly a lot of men as the earth contains.

With a thankful heart to the Creator, who has cast my lot as a sheepman among sheepmen, I wish to unite with my brother breeders in blessing all sources that have contributed to our prosperity.

Yours, as ever,

H. A. DANIELLS,

Secretary of National Lincoln Sheep Breeders' Association.

NEW YORK BREEDERS THANKFUL.

It is a most fitting thing that a great civilized and Christian nation should annually observe a day of praise and thanksgiving to the Author of all good and the Source of all blessing; and I am sure that no class of our people will be more fervent or sincere in their expressions of gratitude than our American shepherds. It has been said that a man's occupation has much to do in molding his character. If this saying is true, then the man whose life work is to care for and tend the animal whose name and kind is a synonym of dependence and humility must as a sequence develop kindred traits of character and look for guidance, direction, and protection from the Great Shepherd of us all, and realize to its fullest extent what David felt when he wrote, "The Lord is my shepherd, I shall not want."

It is not vouchsafed to men of any calling that generous prosperity should continually abide and that it should be all sunshine and no storm cloud. So sheep men must expect ups and downs in degrees of prosperity and be thankful in times of disaster that conditions are not worse and duly grateful when the cup runneth over.

Speaking for the members of our standard association, I am sure that I voice their sentiments when I say that we are thankful that the free traders, when they were in the saddle, were restrained from passing a law that all sheep should be slaughtered, and that they only subjected us to the ravages of the wolf free trade; and that when in the hour of distress and desolation we earnestly prayed that wise statesmanship might again guide the ship of state and our Government assume the rôle of protector and shepherd and build again the walls of our great natural sheepfold, that He who ruleth the nations in justice and righteousness so graciously and generously answered our petition and gave us a President and lawmaker who believes in the doctrine that "he who provideth not for his own household hath denied the faith;" and that this principle applies to governments as well as to individuals, and proclaimed to the world that America was for Americans, and by legislative enactment, that placed a bar across the pathway of ruinous foreign competition and swung into view again the day star of hope and an assurance of better days, which now are here.

Still further, we are grateful for the fruitful season just passed, that our storehouses are full and that no general and extended droughts have visited our land; that our flocks have not been pinched by hunger or starvation, and that no such scourge as a contagious disease has visited our flocks.

Again, we are grateful that the battle ground with a foreign foe, when fighting for God and humanity, was kept far from our shores, and that our flocks were not the prey of an invading army or the subject of confiscation.

And just now we are most grateful for the outcome of the recent election and that the majority has spoken for honest money, for protection, and has upheld the wise policy of our noble and Christian President; and we in New York are especially thankful for the overthrow and discomfort of the cohorts of Tammany and the election of the brave hero of San Juan as our governor.

Oh! our blessings are without number and our gratitude should be unbounded.

JOHN P. RAY,

Secretary Standard American Merino Sheep Breeders' Association.

INDIANA BOYS THANKFUL.

The woolgrowers of Indiana should be especially thankful that the price of wool and sheep are 50 per cent better than in 1893, and are still on a boom. They should be especially thankful that they have such pleasant and profitable association, where all the breeders may meet and discuss all the breeds of sheep so fully and freely, and where the wool and mutton man can come and learn all about the growing of sheep as well as the rearing of stud flocks, for all flourish and prosper in Indiana.

Indiana is especially proud of her flocks. They are not soil robbers, but great soil feeders. Those who handle sheep do not have to simply plow and plant and reap and sell the raw material, but operate a condensed factory.

We are thankful that we have not a mutual admiration society, but a mutually beneficial society. Our discussions are free and practical in all that pertains to sheep husbandry, and in a sense the Indiana woolgrowers are philanthropists.

J. W. ROBE.

Secretary Indiana Wool Growers' Association.

TUNIS BREEDERS IN LINE.

In answer to your request for an article on the subject of why should the members of my association be thankful, I will say, first, the Tunis sheep breeders should be thankful because there is such a demand for our sheep that we are unable to supply the demand; second, with a good demand for fat sheep and a great demand for breeding ewes and wool selling at 20 to 25 cents per pound, the sheep men are reaping a grand harvest, with the prospect of continuing in this line for several years more, and an abundance of feed. We should be thankful and rejoice that we have chosen the profession of a good shepherd. With success to you.

Yours,

J. A. GUILLIAMS.

President American Tunis Sheep Breeders' Association.

THE STRONGHOLD ALWAYS LOYAL.

If a starving man suddenly finding himself in the midst of plenty; if a shipwrecked sailor who has been struggling to keep himself afloat through the darkness sees in the first dawn land and friendly faces, has cause for thanksgiving, surely the "sheep man" has cause to-day to raise his heart and voice in a jubilate of thanks and praise.

Here in Montana the four years just passed have been years of struggle and doubt, struggle to get means to keep afloat, struggle to get means to pay the running expenses of the "ranch" without sacrificing or depleting his band of sheep; doubt as to his power to keep his affairs from shipwreck until the dawn of brighter skies.

The majority of the men who in this State hold bands of sheep of two to five thousand each have been working to a greater or less extent on borrowed capital and must keep their interest paid up, interest at a rate of 10 to 12 per cent per annum, beside herders' salaries, herders' food, and the thousand and one expenses incidentally entailed upon the ranch owners. Every sheep man knows that his bank is watching him, keeping careful account of his position to know if the risk is a good one; painfully sure that if his flock gets too small or if for any reason he gets on the downward track his creditor must step in and dispossess him to secure his loan.

At such times losses which in prosperous times would be passed over with some regret only assume threatening proportions; a "pile-up" following a stampede of his band as they rush from some marauding coyote or wolf may leave one to three hundred worthless carcasses at the bottom of a ravine; a prairie fire may destroy the grass over a large territory upon which he had been depending for his winter range, or his hay stacks may be consumed, without which his sheep may all die during the continuance of a snow blizzard; his sheep sheds may burn, leaving no shelter for the flock during some hard storms which the winter is sure to furnish; any of these misfortunes arriving at a time when both wool and mutton have been forced down so low that but little margin exists between success and failure might well discourage a stout heart and show many wrinkled with anxiety, or even the premature appearance of silver hair on heads unused to such a visitant. A hunter comfortably seated at his fireside goes over in retrospect any dangers and hardships through which he has safely passed feels a sort of satisfaction in reviewing his trials, so to-day the relieved and prosperous sheepman looks back on the trials and struggles of the last four years with some complacency and congratulates himself on the courage and persistency which enabled him to overcome the obstacles of the trying time and which have brought him out with safety to this period of prosperity.

It was taught by the theologians of the past that the saints in bliss had their happiness intensified by looking down from their celestial abodes upon the tortures and writhings of the lost and listening to their screams and groans as they were tossed in the billows of the burning lake; let us hope that no emotion of joy comes to the heart of any who have successfully emerged from the Sahara of the last Administration when they note the wrecks of those who, less skillful or less fortunate, were left stranded by the wayside.

It is fit and proper that on the day set apart by our President for thanksgiving and praise we should think with pleasure of the many woolgrowers who are fast exterminating their indebtedness or laying up a modest sum for old age. We may also well be thankful that those eminent gentlemen who four years ago reversed our national policy, who never saw a sheep without feeling a strong desire to kick him, who seemed disposed to regard a sheepman as an outside barbarian worthy of no consideration; we may to-day utter praises of thanksgiving that these eminent gentlemen are retired to private life, or in any event have been rendered incapable of the further pursuit and persecution of the wool producers of our country.

A. S. W.

President Custer County Wool Growers' Association of Montana.

MORE THANKFULNESS.

You rightly assume that they are thankful, profoundly if not devoutly thankful, and the reasons why are not few or far to seek.

By way of introduction it may be said that during the reign of "free wool" our people engaged in sheep raising suffered and lost heavily. Some lost all the savings of years, and most became deeply involved in debt. The fact that our sheepmen have much free range is more than offset by the higher wages demanded by employees in competition with miners' wages, the cost of supplies, our distance from markets, etc. Such has been the competition among sheepmen themselves, and with cattlemen, that most of them have been compelled to secure their ranges by purchase of land and surround it with fences. What was true a few years ago is not true to-day, that sheepmen generally have the advantage of free range, while otherwise they are handicapped more than enough to make up the difference.

Among the reasons for thankfulness we may enumerate:

1. The fact that our people held on to their sheep, in anticipation of a change

of policy, to a greater extent than in most parts of the country, and thus have had the benefit of the rise.

Our record of last year showed that Montana had more sheep than any other State in the Union. If we reckon the number at 3,000,000, which is within bounds, and count the increase of value at \$1.50 per head, it will show an enhancement of value amounting to \$4,500,000.

Our wool crop can safely be counted at 20,000,000 pounds, and an increase of value the last year may be counted at 3½ cents per pound, and would make an aggregate enhancement of \$700,000. We can safely say that our sheepmen were better off in 1898 than in 1896 by at least \$5,000,000. This has enabled them to pay off much of the deficit of previous years, secure title to a large area of pasture and inclose the same, besides improving their herds and providing increased shelter from severe storms.

We are not sure, as the returns from the counties for the current year are not yet received, that the number of sheep has increased, for many have taken advantage of the rise in sheep to sell and clear off indebtedness.

2. Another cause of thankfulness is to be found in the abundant supply of pasture and the large amount of hay put up for winter use. Though the rainfall has not been much above the average, it has come at more favorable times. It came early and gave the grass a good start, and has been better distributed to keep up the growth. The consequence is, our sheep will go into the winter in better condition than usual, winter ranges will be better, and the supply of hay is unusually large.

3. The health of our sheep is good and improves every year. There is no healthier climate in the world for sheep. This affects the wool crop both in quality and quantity. All the diseases to which our sheep are seriously exposed are from those driven into our State. From this cause we are every year less exposed, because the increase of our present flocks will amply stock our ranges.

4. The results of the recent election are a source of sober but deep satisfaction to our sheepmen. They assure us that for two years more, and probably for several years to come, there will be no repetition of the "free-wool" folly, and the price of wool will not only be improved, as the foreign stocks shipped in, in anticipation of a tariff, are exhausted, but there will be more steadiness with the enhancement.

Without extending this response, it seems as if the reasons specified were ample to arouse gratitude in the most thankless breast.

Very respectfully, yours,

CORNELIUS HEDGES,

Secretary Sheep Commission of Montana.

MORE THANKS.

Editor Wool Markets and Sheep:

Your letter of the 7th came in my absence, and am sorry that it was not answered; and we joined in your thanksgiving, for we can say that from all reports and from our own standpoint sales of Cotswold sheep have been the largest that we ever knew, and the interest in this breed is wider spread than ever before. Montana, of the range States, bought less than for several years past, but there has been an increased business with Wyoming and Texas, and the other range States taking about the same with an increase of business in the farming States. Cotswolds were never out stronger at the fairs, during late years, than this fall, the number of entries, on the average, at State fairs and at Toronto and London, Ontario, exceeding those of any other breed, and competition was brisk all along the line. It is worthy of note that choice rams and ewes were bought by breeders at higher prices than heretofore. The Cotswold Record Association, as a natural result of all this, has had an increase in receipts, and we are now publishing volume 8, that will contain 4,300 pedigrees that have been received during the past eighteen months. Thanking your paper for past assistance,

We remain, yours, very truly,

GEO. HARDING & SON,

Secretary American Cotswold Association.

By reference to the monthly showing made by the various wool circulars issued by the dealers in wool in the United States about December 1, 1898, when the Dingley tariff act was about as old as the Wilson law was in December, 1895, the average price of 72 grades of wool was 18.20 cents per pound. The average price of these same qualities in December, 1895, under the Wilson law, was 14.77 cents per pound. There has been an advance, therefore, of 23.23 per cent in American wools from December, 1895, to December, 1898, while on these same grades of wool in the London market there was a decline of 21½ per cent. Thus it will be seen that in the markets of the world, where there were no tariff changes, there was a decline of 21½ per cent, while in the American markets, notwithstanding the influence of that great foreign decline, there was an advance of 23.23 per cent, owing to the change from free-wool tariff to protective tariff. It therefore stands demonstrated that if we had not had the Dingley tariff act to cause this advance our prices would have fallen to the same extent as the outside markets of the world.

You may ask again why it is that American wool is 11 per cent lower than in December one year ago. The answer is simple and plain. During the first six months following the passage of the Dingley tariff act wool speculators were buying American wool, expecting it at once to go to the importing price. They were ignorant of the fact that a two years' supply of free wool had been brought in in advance of the tariff. In December, 1898, those speculators realized for the first time that it would probably be the year 1900 before the free-wool supply brought in in advance of the tariff is entirely exhausted; and the realization of this fact has caused dismay among these speculators, and they are now throwing their wool on the market. They are weary of carrying it, although we are 80 per cent nearer to the exhaustion of this free-wool supply than we were one year ago. Speculators realize that the moth may get into it before the importing point is reached, and they are determined to sell and take what profit they can now get. Speculators are making a handsome thing on the operation, although they are not getting within 11 per cent of prices which they refused to take one year ago.

The Dingley tariff act is working all right, and by 1900 it will realize all that the woolgrowers of the country or that reasonable men could ask or hope for. The Government of the United States in three years has been cheated out of the revenue that it should have collected on the 765,000,000 pounds of free wool imported and the 82,000,000 pounds of free shoddy and waste imported under the Wilson law in the years 1895, 1896, and 1897, and a great big proportion of which might have been avoided and the Government revenues protected and the farmers of the country immensely benefited by the mere passage of the first Dingley law, which was designed for the very purpose, the necessity of which is now so apparent. The men who defeated that bill are directly responsible for the two years' supply of free wool which was in this country less than one year ago.

The Dingley tariff act has lifted prices on a few grades of American wool as much as it can or will, but the majority of the domestic grades are 20 per cent below the importing point price, because there was too much of those particular kinds brought in when wool was free of duty. Everybody knows that wool must finally go to the importing point price when the exhaustion of the present free-wool supply occurs, because we do not produce 50 per cent of the wool that we use, measured by scoured wool, but I feel very confident that by 1900 there will be normal wool importations, but we can not shut our eyes to the fact that with the exception of a few varieties which we do not produce, principally carpet wools, we can go, if necessary, into 1900 on our present supply. In all the arguments made at the time of the passage of the Dingley bill very small hope of revenue from wool before 1900 was predicted.

Speculators during the six months immediately following the passage of the tariff act for a while boomed wool up to within an average of 13 per cent of the importing-point price. That was just before the *Maine* incident, but these speculators are now trying to realize, and they are unloading, and prices have fallen so that to-day the margin between domestic wools and their importing-point equivalent under the new tariff is 20 per cent. Prices were higher during the six months following the passage of the Dingley tariff act than they are to-day, mainly because of the forced speculation that was then being indulged in. Speculators gambled on the price-lifting effect of the tariff, believing that it would be operative much earlier than facts warranted. They were ignorant of the fact that the American production of wool, supplemented by the free-wool supply, would last the machinery, if run full time to its normal capacity, until 1900, with but sparing additions from abroad of varieties not produced here.

It is a fact that there is already more wool in the United States custom-houses with the duties unpaid than has been taken out of bond or withdrawn for consumption since January 1, 1898. The markets of the world were drained of their supplies and it was sent to the United States, and importers could not believe that after the tariff bill was passed that it would not continue to come in. They believed that it would come in just the same, but at a price as much higher than before as the Dingley duties.

One party wrote a letter to the American Protective Tariff League to know why it was that wool was higher under the Wilson Act than it is to-day under the Dingley Act. It happened that the time selected by him under the Wilson Act was one week before the President signed the bill, when speculation in anticipation of the tariff had run prices to a higher level than can be obtained for it to-day.

Of course speculation lifted the price more than was warranted, but the Dingley tariff act caused the speculation. Therefore it was the Dingley tariff act that made wool higher in July, 1897, when the President was just about to affix his signature to the bill, than it is to-day; but the way to get at the effect of the Dingley tariff, and the way to silence those who are disappointed, is to ask them what their wool would fetch in the London market at this time. A Shropshire unwashed Ohio wool is to-day worth 22 cents here. Its value in London to-day is 11 cents. The Dingley tariff-act duty on that class of wool is 11 cents per pound, and but for the Dingley tariff act the London value would be the American value instead of the latter being 11 cents per pound higher than the London price.

I here publish a diagram and full statement illustrative of all the argument which I have made:

The chart or diagram following will assist in a better understanding of the coarse-wool situation. It not only shows the low level to which prices had fallen in London from 1896 to the 1st of January, 1899, but it also shows how the Dingley tariff act sent prices in exactly the opposite direction in the United States.

The average price in England in each year from 1892 to 1896 (where there were no tariff changes, and comparatively little change in price) is shown in the lower half of the diagram, while the upper half shows that in the United States for that period an average decline of 30 per cent occurred. The repeal of the McKinley tariff act and the substitution of the free-wool Wilson law brought prices for quarter-blood wool in the United States from more than 10 cents above the level of foreign markets down to the same level. On the other hand, in 1896 when, owing to a free-wool tariff, the unobstructed competition with the markets of the world had exerted its depressing effect on domestic values the average difference between American and foreign markets was less than the cost of importing wool from London and at times

American wools were selling in the United States for less than they would have brought in the London market.

In 1896 the influence of the change from Merino to Crossbreds in the Southern Hemisphere was beginning to be felt upon prices and its ultimate effect upon the London market is shown in the lower portion of the diagram, where a fall of 20 per cent from the average price of 1896 to January 1, 1899, is indicated. The foreign decline is in strong contrast with the upward course of the same class of stock in the United States at the same time, where there was an advance of 35 per cent. (See diagram.)

One of the striking facts which the accompanying diagram reveals is the tendency of prices to respond to prevailing impressions as to what tariff laws were likely to be enacted in advance of their actual passage.

This is twice illustrated in the diagram. First, the decline in values in America, which commenced as soon as Cleveland's free-wool message was issued, and again when the advances began with the election of President McKinley. In both instances the price changes began more than a year before any actual change in the tariff occurred.

In the first instance, in spite of the fact that the McKinley tariff law was still in force, prices fell because of the certainty that it was to be followed by cheap free wool. The price-lifting effect of the McKinley tariff law was thus practically nullified during the last year of its existence.

On the other hand, the anticipation of the restored duties is shown by advancing prices from the moment of McKinley's election until the Dingley tariff law was passed nearly a year afterwards. Wool prices during that period continued to rise in spite of the fact that enormous quantities of free wool were pouring into the United States as never before.

It is a noteworthy fact that from the time of McKinley's election in 1896 until January 1, 1899, which covered both the anticipation as well as the realization of the Dingley tariff act, quarter-blood unwashed wools in the United States, as stated before, advanced over 35 per cent, while prices abroad for the same kind and quality declined over 20 per cent.

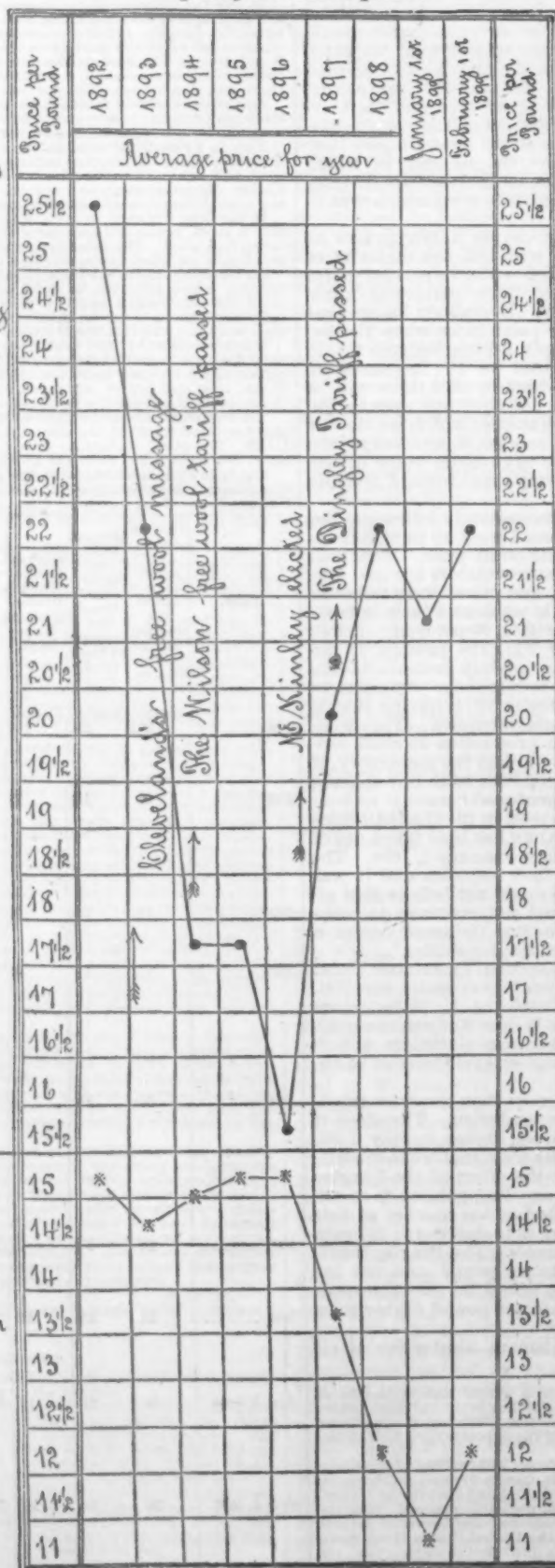
The two columns on the right-hand margin of the diagram give prices for quarter-blood wools at the dates named, viz, January 1, 1899, and February 1, 1899. The other quotations were neither the highest nor the lowest for the years 1892 to 1896, but were the average of those years.

The following table explains the causes of the changes in price shown by the diagram between wools of the same kind in England and the United States:

Year.	Grease value of quarter-blood unwashed in the United States.	Grease value of quarter-blood unwashed in England.	Higher in the United States than in England.	Causes for the difference between the value of quarter-blood unwashed in England and in the United States.
1892.....	Cents. 25½	Cents. 15	10½	The 10½ cents per pound difference in 1892 before the McKinley law was enacted with repeal was the full price-lifting effect of the 11 cents per pound duty of that tariff law.
1893.....	22	14½	7½	The reduction of the difference to 7½ cents per pound in 1893 was caused by the anticipation of the Wilson law, and, although the McKinley law had not yet been repealed, its protective effect on wool prices was constantly diminishing, owing to the approach of the impending free-wool measure.
1894.....	17½	14½	2½	The reduction of the difference to 2½ cents in 1894 was caused by the passage of the Wilson law in the latter part of the year.
1895.....	17½	15	2½	The average difference of 2½ cents per pound in 1895 was caused by a wild speculation in wool that temporarily caused advancing prices and irregular markets in the latter half of the year, so that for a few months speculation gave wool an artificial value and retarded the culmination of the effect of free wool.
1896.....	15½	15	½	The average difference of but one-half cent per pound in 1896 indicated the full realization of free-wool prices. McKinley's election in the latter half of the year raised prices in anticipation of a tariff upon wool, otherwise there would have been no difference at all. In point of fact, at times wool was actually higher in England than in the United States.
1897.....	20	13½	6½	The average difference of 6½ cents in 1897 was caused by the anticipation and realization of the effect of the Dingley tariff on wool, passed about the middle of that year.
1898.....	22	12	10	The difference of 10 cents per pound in 1898 showed the full effect of the Dingley tariff act, notwithstanding the depressing effect of the presence here of vast amounts of the unexhausted supply of ante-tariff wool and woolsens.
Jan. 1, 1899.....	21	11	10	The difference of 10 cents per pound Jan. 1, 1899, showed the full effect of the Dingley tariff act, notwithstanding the depressing effect of the presence here of vast amounts of the unexhausted supply of ante-tariff wool and woolsens.
Feb. 1, 1899.....	22	12	10	The difference of 10 cents per pound Feb. 1, 1899, showed the full effect of the Dingley tariff act, notwithstanding the depressing effect of the presence here of vast amounts of the unexhausted supply of ante-tariff wool and woolsens.

Diagram showing the difference in the effect of free trade and protection upon prices for wool of the same kind and quality at the same period.

In the United States
39½% decline on
Unwashed Quarter
Blood from McKinley
Tariff prices of 1892
to Free wool prices
of 1896



In England
no change in
value of Unwashed
Quarter Blood from
1892 to 1896

In the United States
35½% advance on
Unwashed Quarter
Blood from free wool
prices of 1896 to
Dingley tariff prices
of January 1st 1899

In England
26⅔% decline in
Unwashed Quarter
Blood from 1896 to
January 1st 1899,
while values in
America during the
same period advanced
35½%

I close this argument with these propositions:

First. There was secured by the Dingley law the highest rates of duty on American wools that it was at all possible to have secured;

Second. Any higher rates of duty would have resulted in the defeat of the entire proposition of Schedule K;

Third. The Dingley law has operated, under all the circumstances, quite as beneficially as it was fair and just to have presumed or to have hoped for by the passage of any available statute; and

Fourth. If the woolgrowers of the country will be patient and hopeful, improve their flocks and enlarge their production, when this great importation of free wool, caused by the mismanagement of some of our own best friends, has been exhausted, fair prices for wool will be secured; but the woolgrowers must bear in mind that no tariff law can equalize the cost of production between the West, the Middle West, and the East. The conditions existing are well known to the intelligent woolgrower, and he will be satisfied when he has secured the best obtainable.

Compared with the situation in November, 1892, the prices of all agricultural products have been advanced not less than 30 per cent in the aggregate, and the price of American wool has exceeded that ratio in its advance all along the line. The agriculturist is entitled to full and adequate protection for his product, but no fair-minded woolgrower, so far as I know, desires to exclude from this country absolutely the wools of other countries, for in doing so the looms of our country would stand still in large part and a great investment in an industrial enterprise would be destroyed and the home market for American wools practically demoralized. Let us have faith in the future. Let us have hope and be encouraged.

Army Reorganization.

SPEECH

OF

HON. SYDNEY E. MUDD,

OF MARYLAND,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 31, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. MUDD said:

Mr. CHAIRMAN: In the contest upon this bill, which seems to have resolved itself in some quarters into a controversy as to the comparative virtues and capabilities of Aguinaldo and McKinley, I believe I shall prefer to place myself in line with those who feel that it is better to stand upon the side of McKinley.

I do not believe that liberty is about to die out of the Western Hemisphere or that free institutions are about to depart forthwith from the face of the earth because of a contemplated enlargement of the Army of the United States or an enlargement of the territory of the United States by acquisitions either of a mainland character or of islands in the distant seas.

I believe that the title of the United States to sovereignty in the Philippine Islands upon the ratification of the treaty with Spain will be as valid and as complete and rightful as is the title of the Government to the soil upon which we stand to-day here in the District of Columbia.

I believe it will be just as strong and as valid and rightful as is the generality of title by which we hold the great body of the mainland of this country, upon which we have peopled a new world in this hemisphere and given birth to new ideas of government and built up a better and broader and brighter liberty for mankind.

The right of acquisition of territory—I take it it will be conceded—is an incident of sovereignty itself, and the right of government of that territory is a natural and inseparable outgrowth and corollary of the right to acquire.

I submit, further, that the intent of the Constitution of this country, when it declared that Congress shall have the power “to make all needful rules and regulations respecting the territory belonging to the United States,” was to give an affirmative and specific declaration of a discretion in the legislative department of the Government to determine just what “rules and regulations,” in other words, what legislation, shall be held to be “needful” according to the varying conditions of the growth and territorial expansion of the country.

To such effect is the almost unbroken line of the decisions of the Supreme Court of the United States asserting the exclusive power of legislation in Congress over Territories, unhampered by the machinery of the Constitution, except to the extent of the declarations of personal rights enunciated in that instrument in

the nature of a reaffirmation of certain fundamental natural rights which the genius of Anglo-Saxon peoples has carried with them all over the earth, with or without constitutional guaranties.

With these premises conceded, Mr. Chairman, there is no difficulty in seeking and in finding a solution of the problem of the Philippines.

Gentlemen who have not concerned themselves much about the dangers of unrestricted immigration heretofore are much exercised now for fear that the country may be overrun and American civilization torn to pieces by incursions of the scattered Malay tribes and peoples into this land.

Gentlemen who have not posed heretofore in any especial sense as the champions or devotees of the doctrine of protection to American labor are now much afflicted and affrighted at the specter of the approaching ruin of our laboring people through the competing products of the cheap labor of the Philippines.

There are no terrors held in store for us through the visitation of either of these twin calamities, Mr. Chairman.

In the power of legislation of Congress over Territories lies the remedy in the hands of our own people in both cases; and that the uniformity clause in the Constitution, as to duties upon imports, does not apply to Territories until specifically extended to them by Congress has been on several occasions decided, even by Justice Taney and by Justice Swayne and others, in reference to our former territorial acquisitions, and under the resolution annexing Hawaii to the United States we are to-day exacting duties on the products of Hawaii in this country, and different rates of duty are in force upon the same products of other countries, at the port of Honolulu, from those that are levied at the ports of the mainland of the United States.

Just what will be the ultimate disposition of the Philippine Islands and just what precise form of government will be established and will endure for them no man can say with certainty at this time. Of one thing, however, we can feel assured as to the past.

It was the United States that crushed the power of Spain and that drove out Spanish authority and Spanish government from those islands.

It was not done by the power or the armies of the insurgents or by the aspirations for liberty of the Philippine people, which some gentlemen would seem to picture to themselves and to the country as the sublimest spectacle in existence to-day on exhibit before the eyes of an admiring world.

It was not achieved in any sense through Aguinaldo. He had been dealt with; he had capitulated upon terms satisfactory to himself and the Queen of Spain; had surrendered, had sacrificed the people of whom he claimed the leadership, and had fled away to a position of safety to himself, returning only with and under the protection of the American fleet, professedly to give aid, with resources furnished him by Dewey, to set up the authority of this Government, which he only began subsequently to defy and to rebel against, under the inspiration which he felt was being vouchsafed to him from the temper of speeches that were being made upon the floor of an American Congress.

Now, I take it for granted, sir, that it is no part of the purpose of any branch of this Government to enter upon any policy of oppression to the Philippine people or any other people. Such is not in accord with the history or spirit of this nation; but in the exercise of powers upon which we have a right and, in my judgment, a duty to stand, coming to us as the fruits of a war undertaken with as holy and as lofty a purpose as ever animated the hosts of the crusaders of the early days, I would assert and uplift over them the authority of that Government embodying within itself to them and for them more of liberty and enlightenment than they have ever felt or ever seen before, which the flag of this country carries with it wherever and in whatever hemisphere it is planted.

I believe it will be of material advantage, and of very great material advantage, to the people of the United States to acquire that dominion which we have a right to acquire in that eastern world, in the establishing of outposts of trade and the opening of avenues for the extension of the commerce of this country into the most inviting fields of the world, in my judgment, in the not distant future.

I believe—and every man who has faith in the institutions of his country, it seems to me, must believe—that the assertion and the extension of that dominion will bring benefits, and lasting benefits, to the inhabitants of the Philippines themselves, and to the cause of civilization throughout the world.

I take it it is fairly conceded to be desirable to retain a portion of those islands for the purpose of establishing coaling stations and naval stations for the navies of the country; and in my judgment, sir, if we are to take a part of them for our own purposes, we should take all of them, that no other nation shall have any portion of them for such purposes as may come in conflict or in competition with our own. I believe that there should be no divided sovereignty in that archipelago.

I believe that wherever the flag of this country shall go up the flag of all other countries should come down; and so believing—in the just pursuit of that enlightened self-interest, which is the true policy of nations, with a proper regard also for the fair and reasonable protection of the rights of the people there, which, in my judgment, will best come to them through the extension of the empire of the government of the people, for which this country stands sponsor before the world—in spite of all the clamor about “forcible annexation,” want of “consent of the governed,” and other shibboleths that have been put forward as perturbing factors in this controversy, I want to say that I am in favor of the assumption and the retention of sovereignty by the Government of the United States over these islands, “peaceably if we can; forcibly if we must.” [Applause on the Republican side.]

Army Reorganization.

SPEECH OF

HON. JAMES T. LLOYD,
OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 31, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. LLOYD said:

Mr. CHAIRMAN: The amendment just offered has for its purpose the abolition of the office of ordnance storekeeper, now authorized by law, because such office is not needed and is no use save to furnish a salary to some one who will render no service to the Government. If I am not mistaken, this office was created to give to a favored individual a position in which he had no duties that he might draw a salary from the Government. Now, by the terms of this bill he is to be retained until he dies or voluntarily withdraws from the Army, and not until then is the office to be discontinued. If the officer will not be needed hereafter he is certainly not useful now. Why not do our duty to the people we serve and discontinue his office by the provisions of this bill? The answer is evident. It would leave some one without an office who now draws his sustenance from the Government. I know full well this amendment will not be agreed to. If it provided for another storekeeper it would receive much more favorable consideration. This little circumstance illustrates how futile it is to attempt to reduce the officers and employees of the Government. To reduce their salary at any time meets the same relentless opposition.

Another forceful illustration of the magnetic power of Government employees is seen at this Capitol. Last summer, when in the midst of war with Spain, when spies were on every hand seeking the destruction of American life and property, and after a dynamite ball had been found concealed in a coal bin in the basement, it was thought wise to increase the number of watchmen about this building. The then large number was increased eighteen. A few days ago an attempt, as you well know, was made to discontinue the employment of these extra emergency watchmen. But the proposition was defeated, and eighteen unnecessary employees are drawing large salaries from the Government.

Now, in general terms, we have a bill before us for the increase of the standing army from 25,000 to 100,000 men. It is insisted that the discretion lies with the President to reduce it to 50,000 if in his judgment it should be done. But, Mr. Chairman, if this body has not the power to cut off eighteen employees who are not needed, and will not discontinue a single unnecessary officer as contemplated by my amendment, how can you expect the President to reduce the standing army at any time 50,000 men? I grant you by the terms of this bill he is given the discretionary power to do so. But do you, my friends across the aisle, expect him to reduce it? You can not deceive this side of the Chamber by any such proposition. You intend to make a permanent standing army of 100,000 men, and the elastic features of this bill are intended to catch some of the unwary of your own number who wish to follow the direction of their constituents in opposing a large standing army.

I am opposed to keeping in the Government employment any officers not needed by it. I am opposed to a large standing army in time of peace, and feel that in the light of past experience no member on this floor can justify himself before the country who encourages the squandering of the people's treasure in the creation of places, either civil or military, that are not essential to the well-being of the Government. I insist on the adoption of my amendment. [Applause.]

Army Reorganization.

SPEECH OF

HON. RICHARD P. BLAND.

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 30, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. BLAND said:

Mr. CHAIRMAN: It seems that the whole country, the President, and the House are all drifting somewhere, and there is no power as yet to determine where we are going. We are passing a bill increasing the Army to 100,000 men without any message from the President telling us for what purpose this Army is to be used, nor can any gentleman on the other side inform us as to the particular object for this Army. We are either deceiving ourselves—and I speak more especially for my friends on the other side—or this is a deep-laid plot to deceive the people and the taxpayers of this country.

If we propose to give free government to Cuba, now is the best time to do it, before an organized system of plutocracy and trusts and combines have been permitted to loot them without their consent. If we intend to hold the Philippine Islands, if it is not the intent to deceive the people of this country, it ought to be avowed right here and now. We are legislating, sir, in the dark. We are told that it is the duty of this Government to maintain law and order in the Philippine Islands because we have overthrown on those islands the Spanish Government. I deny it. It is true we took the harbor of Manila and now have control of the city; but beyond that the American forces have never gone and American power has never been exercised.

If it is a duty of honor that we owe the foreigners residing in the city of Manila, then let us protect them there; and the city of Manila and the harbor of Manila are all that this country ever needs to protect or needs to occupy. Why not understand the policy that is to be pursued before we proceed to legislate with reference to it? We are not in honor bound to protect the property of the Philippine Islands or the people of those islands, either native or foreign residents, beyond that part that our Army has occupied and occupies to-day; and if it is our policy only to perform that part of our duty, then this bill for 100,000 men is wholly and absolutely unnecessary.

But I fear, Mr. Chairman, that we have been led into this thing, not so much, probably, by the will really of the Administration uninfluenced, but somehow or in some way the idea has got control of this Administration that we must hold the Philippine Islands for an ulterior purpose. We have been informed of a pressure on the part of Great Britain to induce this Government to maintain its authority over the Philippine Islands for the purpose of prosecuting further conquest in Chinese waters and over the Chinese Empire. That is the secret reason of this bill; and yet, Mr. Chairman, the people of the country are not so informed, either by the President or the majority of this House.

The diplomacy of England has always been marvelous. Isolated as Great Britain is among the nations of Europe, with great colonial possessions in her charge, and yet greedily seeking to force her way into China in competition with all Europe, she finds that allies and friends are necessary to accomplish this object. She has sought by every means that diplomacy could devise to commit us to a policy that would bring about the necessity of cooperating with her in order to carry out her designs. If England can succeed in inducing the American Government to hold the Philippine Islands at the point of bayonets (and we can hold them in no other way), it is quite apparent that the friendship of England and her aid will be necessary to our success.

This is precisely what England wants. England wishes to place the United States in a position of dependency on her. We will then no longer be independent; will no longer have the position of absolute segregation from the broils of the Old World. Dependent upon England to hold Asiatic territory, we must of necessity aid her in her wars of conquest. It may be well to have the friendship of England; in fact, the friendship of all European countries; but it is far better not to need the friendship of any. The idea of a standing army of 100,000 men strikes the American people with horror. It forebodes plutocratic control by the use of the bayonet; it looks to a strong centralized power with an army at its back to subdue the people into silence and to plutocratic methods.

A conservative estimate places the cost of each soldier in our Army at \$1,000 per year in time of peace. At the lowest estimate that can be made with safety an army of 100,000 men will tax the

people of this country \$100,000,000 annually. If this army must be utilized in the subjugation of the Philippine Islands, the cost of transportation and ammunition and disease and death, resulting in pensions, will, in all probability, tax the people of this country \$150,000,000 annually. We now pay out about \$150,000,000 annually for pensions, which is charged to the military establishment, and to add to it another \$150,000,000 would make a sum of \$300,000,000 a year spent as the result of war and the prosecution of war, as contemplated in this bill. The overtaxed and inhumanly burdened people would cry against it. This army, however, will be used to repress the efforts of the people to throw off their burdens and bring about reforms.

I can not but regard it as a deep-laid scheme to enslave the American people under the present domination of plutocracy. English influence has been thus far successfully exerted in fixing upon our people the English gold standard. The power of the Bank of England, the wealth of that country, over the banks and moneyed institutions of this country has brought to bear the combined power of the capitalists of England and America to control our financial system. The next move is to put our Army and Navy at the service of England in the prosecution of Asiatic conquest, the end of which no man can see. We have no use whatever for the Philippine Islands. To annex them is to practically abandon the Monroe doctrine.

Heretofore we have asserted our supremacy on the American continent; we have warned the world that we would not permit any aggression or conquest upon this continent. We have assumed to control this continent, so as to dedicate it as fast as possible to free government and human liberty. We now propose to abandon this position and start out upon a policy of conquest and aggression, and inflict upon the people of Asiatic countries a government not of their choice, but compel them to submit to whatever slavery we may see proper to inflict upon them. We not only abandon the idea of America for American institutions, but what is worse, we give the lie to the Declaration of Independence "that all just powers of government are derived from the consent of the governed." Against this I protest, and shall vote against the bill. [Applause.]

Army Reorganization.

SPEECH

OF

HON. WM. S. COWHERD,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 30, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration a bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. COWHERD said:

Mr. CHAIRMAN: Some matters have been suggested to this Committee of the Whole during the discussion of the pending bill to which I shall ask the attention of the House for a few moments.

We have been told by the gentleman from Pennsylvania [Mr. MAHON] that this bill should receive the support of that side of the House because it is a Republican measure, and that it would be fought on this side for the same reason, and the gentleman gives this as a reason for his support.

Now, if the gentleman wishes to offer that as a motive for his actions, we surely shall not object. If he is willing to go before the country with such a justification for his conduct, it is his privilege. I wish to say, however, that no such motive should, nor do I believe will, influence the action of members on this side of the Chamber. This is an important measure, and one that will very materially affect the future policies and prosperity of this country. We stand here representing not only the opposition to this, but every measure which seeks to impose additional burdens upon the people, and representing, as we do, the principles which the Democratic party has espoused during all its past history, we oppose every unnecessary increase in the standing Army and all the evils that follow.

If the only menace in this bill were the fact that it carries a large increase in expenditures for the future, variously estimated at from forty to a hundred and fifty million dollars per annum, that alone were cause enough to make us pause before placing it upon the statute books of the country. We have pushed tariff taxation to the uttermost limit of revenue raising; we have scratched business with a fine-tooth comb, seeking opportunity for internal imposts. Organized wealth, controlling your party as it does, will not permit you to call upon it to bear any part of the taxpaying privilege of citizenship. Where, then, are those who

follow us to find ways and means to meet the burdens this Congress has been daily and heedlessly increasing? Some day the too long neglected citizen and forgotten taxpayer will demand a hearing. He will have his day in court, and he will see not only that the judgment is just, but that the sentence is promptly executed.

In addition to the evils contained in this bill, it is not needed. We want no army for conquest; we need none such for defense. Isolated as we are, no nation can attack us by land. When we started to send that handful of brave men to Santiago last summer, have gentlemen forgotten how orders to sail were given and recalled, how troops were loaded upon transports and unloaded every time there came a vague rumor that a Spanish war ship was abroad upon the ocean, and not until the last available Spanish vessel was securely bottled up in the harbor of Santiago did we dare to send a transport loaded with American troops across that little strip of water separating us from Cuban soil?

Yet during this discussion gentlemen on the floor of the House have told of the danger of an attack from foreign nations, have told us of the absolute necessity of 100,000 men to form a first line of defense for fear that Germany or France or some other nation may send an attacking army across the Atlantic Ocean, though they know full well that no such army ever dare set sail while a single battle ship or cruiser flying the American flag is left to guard our shores. When we sought to repatriate the Spanish army, we had to scour the seas to obtain ships available for the purpose, but you would lead us to believe that other nations could prepare such an expedition and land it on American soil almost before the Atlantic cable could flash the news to our shore and before any steps could be taken to meet them. Oh, no, Mr. Chairman, no foreign nation will ever attempt to invade our land. If we must have wars, they will be fought upon the seas. Our best coast defenses are the floating batteries of our battle ships. If we fear foreign aggression, this is the arm of the service we should strengthen. But, Mr. Chairman, this is not intended as an army of defense, but an army of invasion.

A distinguished gentleman told us the other day, during this discussion, that when war was declared everyone should have foreseen that the results of that war would call for a greater military force. Has he forgotten that this House, with its great Republican majority, voted into a bill which we passed last year for the reorganization of the Army, in the very teeth of war, a clause providing that the Regular Army should be reduced again to its present peace footing as soon as the war was over? What has brought such a change to the minds of the majority? What new conditions have arisen? What obligations are rightfully upon us that were not, as the gentleman well said, foreseen when the war was declared? The difference, Mr. Chairman, is, we were not then in love with brass-button government; we were not then infatuated with epaulets and shoulder straps. We did not then know that this Government had adopted an imperial policy and proposed to hold subject races under military rule. What sudden change has come over the spirit of the American people in the passing of a night?

Before this so-called expansion policy was thirty days old the Republican press that had so vigorously opposed the freedom of Cuba was even more vigorously demanding complete subjection of the Philippines, and seriously considering what foreign powers we should choose as our allies in that war which would probably follow our advent into the Orient. Have we broken away in a moment from the safe moorings of the centuries? I will not believe it. The conservative, sober sense of the American people has yet to be heard from. They will demand for the struggling races in the distant countries generous and honorable treatment, and justice for themselves.

Gentlemen talk about our becoming a great nation and taking our place among the powers of the world. We do not need a great army to be a great nation. We did not win our greatness at Santiago or Manila. We have become great not by reason of a great army, but by the lack of it. The marvelous growth of the last hundred years was largely due to the fact that the best blood and brain of other nations, fleeing from the burdens of militarism, sought our shores, where they might escape both the extortion of taxes and the tyranny of the service that such a system always carries. Mingling their blood with ours, we have grown a race of patriots, ever ready to serve their country in her hour of need, because they realize that she was always dependent upon such service and equally ready when the hour of need was over to return to the busy walks of peaceful life.

Tax them through all the devious paths of revenue raising to maintain a large standing army and they will lose both the spirit and incentive to serve. But gentlemen tell us whatever we may wish to do with the Philippine Islands, we are confronted with a condition and not a theory. They tell us this people are unable to govern themselves, and cite international law to show that it is our duty, having destroyed the government which prevailed there, to give to them a strong and stable government and maintain it until they can learn the principles of self-government. This is a

new doctrine for America. I deny that she has ever subscribed to any such principles of international law.

Why, England established that precedent some four hundred years ago, when she broke the power of the native princes of India and took possession of that country with the determination that she would give them a strong and stable government. For four hundred years she has had them in leading strings, furnishing them a strong and stable government, and to-day the people of India are less able to rule themselves than they were when England first undertook to teach them the lesson. We teach self-government, not by the strong hand of despotism, nor by the cruel point of the bayonet, but we teach it by the glorious example that we set to the people of the world, and we teach it in that way only. [Applause on the Democratic side.]

Why, sirs, some thirty or forty years ago, when France and Austria looked out upon Mexico and said, "There is a rich and fertile country, with a salubrious climate, that needs a strong and stable government," and sent soldiers there to give it to them, and incidentally the benefit of French and Austrian trade as a by-product, we pointed to an almost-forgotten sentence in the message of an American President and we said to them that Mexico must govern herself, and that they could take their soldiers back to the sunny shores of France. [Applause on the Democratic side.] What has been the result? It has not at all times been satisfactory. Sometimes, it is true, it has advanced through revolutions, but always higher up the mountain and nearer to the sunlight of liberty. Mexico and every nation that ever had the opportunity has gone onward and upward, until to-day this American continent is practically free from pole to pole. This is the international law of the United States of America. It is the international law of liberty. It is not the law of trade, but the "creed of the flag." [Applause on the Democratic side.]

Army Reorganization.

A Standing Army is a Menace to the Nation—The Volunteer Soldier has been the Support of the Nation in War and is its Hope in Peace—Official Favors to Favorite Officials Work the Decay of the Service and Deprive the Nation of Efficient Valor.

SPEECH

OF

HON. JAMES HAMILTON LEWIS,

OF WASHINGTON,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, January 31, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. LEWIS of Washington said:

Mr. CHAIRMAN: I would not have consumed any time upon this measure as far as addressing the House, had it not been for the spectacle presented here by the majority in its opposition to the amendment offered by the gentleman from New York [Mr. CUMMINGS]. An amendment which seeks to confine the Army proposed in this bill to the mere duties of an Army and to restrain it from taking the place of a police force or as an engine to suppress strikes and control labor conflicts. This opposition does more than all else to convince me that the object of this bill, notwithstanding the professions of its advocates, is the same purpose which influenced those who projected a similar bill in this House last March.

This present bill calls for an army of 100,000 men. It is so arranged that it permits 4,500 special commissions and 1,500 non-commissioned places, with salary and merely perfunctory duties. It is appalling to reflect that calculation, by actual figures, demonstrates 1 official commission or noncommission to every 14½ men, a proportion of more offices to the line by 15 per cent than exists to-day in any army of the world. I have heretofore demonstrated this fact by an illustration. I call to the attention now of the honorable chairman of the Military Affairs this indefensible truth.

So flagrant seems the offense that this bill provides as many as 3,500 commissions that it has been denied by partisan sources. I append here a report made by the majority committee admitting 3,700. I have heretofore charged and demonstrated that a greater number—indeed, so great as will reach 5,000 positions of appointment—was to flow from this bill, either to be given or taken away.

I have said the proportion of the positions to the men has never been equalled in the army of any power; that no such number of offices had ever been given to so small a number of men as is provided in this measure. Investigation informs me that under the Persian organization, many years ago, 1 officer was allowed to

every 6 men. This was done upon the assumption that the men themselves had to be watched lest they would join treasonable designs for the murder of the Shah.

THE PURPOSE OF THESE NEW HONORS.

We ask, why this provision for these men; these unnecessary sinecures? Why this un-American policy of a civil pension list to favorites under the guise of a military office? Mr. Chairman, the war minister under Louis XVI is reported to have said to him, when objections and protests were being heard against of his one measures:

Give me 2,000 commissions in the army to distribute among the influential families, and I will convert opposition into advocacy. * * * Those who now curse will soon praise. They who have no influence need not disturb you, as they will be soon silenced when influential persons no longer sustain them.

INFLUENCE OF APPOINTMENTS.

What more potential influence, calculated to suppress all protest of dissent, can be imagined than the distribution of 5,000 special gifts of honorary places with life salaries? Following the principle of Louis's minister, distributing these commissions among the influential families of this country, let us assume that each officer provided for would have on the average five relatives, direct and lineal, also five close and personal friends. Each office thus controls ten persons, each of the ten an influence measurable and important.

Upon this basis of 10 we have 50,000 people whose criticism has been hushed, whose opposition allayed; their advocacy sought and their support practically purchased. Distribute these among the 50,000 influential persons or to the 5,000 influential families, and, upon the ratio calculated by Thomas G. Shearman (and lately borne out in the suggestion from Senator-elect Depew, and which has been given in detailed figures by Dr. Spahr), all the families in the United States who control more than a million dollars each have been brought beneath the sway. Magazine writers, newspaper editors, and public administrators generally at once become the servants or the servers of particular friends or relative holding the commission.

Members of the House owing their places, particularly their nominations, to a certain prominent few in their district, while respecting their wishes or fearing their opposition, can not be secured to favor any measure looking to the reduction of these Army officers. Soon they will not dare to permit any criticism of their course. The Senate governed by the same influences, the same consequences follow. Then we are confronted with the inevitable, the Army the master of the Government! When not actually directing its measures affirmatively, then controlling them by indirection. Courageous men who would assail this system under such construction when it has grown—as it must—corrupt or inefficient, would not have support enough to accomplish anything, and would in hopelessness be silent and acquiescent.

Who will say that the situation now in France will not be upon this country in no long while, and that which was about Germany and is now about Russia will not be our inheritance? We are planting the seed; how shall we escape the harvest? This purpose is not being denied. It can not be defended. It is excused upon the ground that there are those who deserve these places, and that it is a sufficient justification for giving these positions to them. The deserts which called forth these life positions—mere sinecures—with life salaries, seem to be that the fathers of many or the relatives of others have given service to the Government either in days past in public office, from which these fathers drew their salary, or in the present day by liberal contributions to campaign funds and otherwise.

MY ATTITUDE UNCHANGED—NO APOLOGY FOR OPPOSITION.

Mr. Chairman, I stand to-day in the attitude I occupied last April. The speech I then made I repeat. I was held up to what was generally called "ridicule" by certain papers and eminent authorities of the country, which, let me believe, was stimulated by the best of motives, as one who had charged the officers of the Regular Army as being "satraps and sapheads." Such assertion was as base a slander as was ever uttered upon a man. I did not assume to refute it. I could not credit the intelligence of the country with so little reflection as to believe it would accept such a charge against a man who is at least admitted to be of ordinary intelligence, notwithstanding any differences indulged concerning his political attitude.

But when such eminent public sources as the New York Sun, with its drastic editorials, Harper's Weekly, with its literary finish, and the Army and Navy Journal, with its usual impartiality, have reiterated those charges, it is not inappropriate that I do what the gentleman from Tennessee [Mr. GAINES] has asked me to do—to call the attention of the country to what I really said, as shown by the original notes of the official stenographer.

Mr. DOCKERY. You made no such charge. I was with you in that fight, and I have seen that you have been generally misquoted throughout the country.

Mr. MCCLELLAN. The mistake occurred from the misquotation and the omission of certain words in the sentence.

Mr. LEWIS of Washington. Mr. Chairman, at the time the bill of April 6 was under consideration there was not, in the sky, a cloud of war. We had not passed the first initiative resolution looking to any action concerning Cuba. To the contrary, this House had beaten them as rapidly as they came up for action. Yet, sir, in the time of peace, as war was not contemplated; in pursuance of what had been initiated in the early part of January, 1898, during the time an army measure was before the House, at which time I made a speech opposing the policy, which is known as "The passing of representative government"—in April, 1898, the committee brought in a bill for the creation of an army of 104,000, 4,000 more than is suggested in the present measure, which, in order to conjure with, is called "a war measure."

The measure brought forward in April speaks for itself. It is numbered 9878. It provided for the same officers that this measure provides. It provided the same inhibition against volunteers occupying any of these offices. It permitted the same appointment of subordinates over the heads of regular officers or any officers who had earned the places by seniority of service. The bill in the first section, line 3, reads: "That hereafter the 'peace organization' of the Army," etc. It was to this bill I addressed myself. It was for the prevention of the evils which have subsequently grown from the measure that I opposed the bill. It was for the protection of the volunteer against an unjust discrimination studiously prepared and then advocated.

It was for the recognition of officers and soldiers who were entitled to promotion and recognition because of merit and service, as against men who were given these positions from favoritism or other influences not here to be mentioned, that I fought the measure unremittingly. In one of my speeches, yielding to the rule of the House which required me to state a personal interest, after informing the House of my relation to the volunteers and that my regiment had asked me to fight the measure, I stated, among other things, that I was for the organization of the Army, but, said I, "I was for the organization of the Army by soldiers," and, reverting to the position I had taken upon a similar measure in the preceding January, I continued, saying: "I shall, as heretofore, oppose any organization of the Army composed of tessellated military satraps on the one hand and gilded society sapheads on the other." [Laughter and applause.]

Mr. COX. That is what it has got to be. [Laughter.]

Mr. LEWIS of Washington. Mr. Chairman, I repeat my utterances; I reaffirm every word of it. [Applause.] I recharge every sentiment contained within it; and now, to the country, I call attention that in the last two days of this debate such eminent men as the gentleman from Illinois, the old veteran, Colonel MARSH; that other veteran from Pennsylvania, Colonel MAHON; that ex-Confederate soldier from Kentucky, Colonel BERRY, and others have risen in this House and condemned the appointments which were made under the bill after it had passed. Each has confessed that instead of soldiers who were entitled to the positions by promotion or by merit to receive them they were given too often to favorites, favorites who were either such from political influences or from the influence of wealth or social position.

Such men were given the charge of the Army. Such men it was who were given seniority and superiority, supervision, and control over the officers of the Army who had long been in service and had experience. Such men were given control of the volunteers; given the charge of their health and their lives. We have seen the result. Those who lay upon the field with hunger, those who died with disease because of neglect of such officers or because of incompetence of many others, "speak trumpet-toned of the dam'd manner of their taking off." We have seen competent Army officers, brave and valiant soldiers, crying out against the abuse.

TESSELLATED MILITARY SATRAPS.

These, by reason of their attitude, could only complain to their immediate superiors. To go farther was to subject themselves to the charge of insubordination. They could not take that risk. We have seen the Army disorganized, rebellious, discordant, and disgraceful. Its Commanding General denounced and defied by subordinates. These subordinates had imbibed this boldness from the encouragement they had received through fear or favoritism. If ever the exhibition of a "satrap" tasseled was given to the country, it was in the fulmination of brutal billingsgate by an under officer hurled against the Commanding General of the Army, which in quality and manner of indulgence would have caused a Bowery blackguard to shrink with shame. [Laughter and applause.]

Other instances, too well known, need not be repeated here. In passing I do refer to that unseemly scene of chaplains of the Army, while wearing commission uniforms, making political speeches in the late campaign in behalf of an Administration in power while they were drawing their support and were supposed to equally represent the other portion of the Government.

Might I suggest that if certain Army officers have grown so impertinent, have become so encouraged that they may use their

uniform in political contests for one political side and can receive the approval of those in power, is it not but a step farther when they will feel equally justified in using their bayonets to accomplish the same end? Will we not be confronted with the Army on one side, representing one political party, while the people, who support that Army, occupy the other? Where is the difference in such an hour between France, in its present dilemma and sorrowful situation in the "Dreyfus affair," and this our boasted Republic of freedom?

Indeed, Germany, with her privileged regulations, would not have tolerated from her army such conduct as we have been compelled to witness and many of us to endure in this Government.

WHO WERE THE "SOCIETY SAPHEADS?"

If there was ever proof necessary that the law by which "society sapheads" have been given official control in places not deserved, where they exhibited no merit, but where their negligence and incompetence, their indifference and neglect, caused to the Army severer losses than all the assaults of the enemy, it is to be found in the results of the service where too many such were given places in the Quartermaster and Commissary Departments, whose conduct is the direct cause for the decimation of the ranks of the volunteers and the dissipation of all real discipline in the staff of the Army.

Many gentlemen occupying the highest social positions in the country contented themselves with going out to the field of action, spotting it with the glow of their red blood, and returning marked as a hero, not because of the accident of their birth, nor the inheritance of their wealth, but because of their American manhood. It was such as these who have had to bear more than others the reflection that has followed that course of conduct by too many other men who claim class and rank of these latter, but who could never earn it however much endowed or however long their life of dawdling service may continue.

WHO SHOULD BE CRITICISED?

Mr. Chairman, in this connection, I would be unfair if I did not say that it is my opinion that if less criticism were laid upon the heads of the distinguished Executive, his Secretaries of War and Navy, and his immediate under officers for these appointments, and the real sources which influenced them were compelled to bear the just odium which has followed, complete justice would be done.

While it is true that these Administration officers should exercise scrutiny and care, should be most regardful of the Army, diligent as to those in whose keeping the lives of our men are put, yet how shall these ascertain who are fit if they shall not take their recommendations from those who are speaking for the people, who the people authorize to speak in their behalf, who, it is assumed, will voice the actual desires of the people and not espouse interests at variance and destructive to the cause of the people and their Government. * * *

WHAT IS THE PURPOSE OF THIS ARMY?

What, sir, is the need of this army? Is it to be said that it is to be used in the colonies? Is it then the intention that these colonies are to be governed for all time by military power? If so, are we not now governing Cuba, Porto Rico, and the other Western Hemisphere annexes with the present army, and have an excess? Again, if these provinces are to be policed, why this disinclination to follow the recommendation of the President in having the natives, who are accustomed to the climate, soil, and influences of the surroundings, serve in such capacity? They have proven friendly as allies in war; can they not be relied upon as assistants in peace when this peace is to be their own inheritance and the fruits of it their own enjoyment?

It is answered that this Army may be needed in this country at any time; therefore should be wholly of our own citizens. Then, what is the service contemplated? It is answered for myself by that other question, What was the service contemplated in the profound peace of March, 1898, when the bill comprehending 4,000 soldiers more than the present measure was projected in the House under the title of the bill for the "peace organization of the Army?" We have from the mouths of gentlemen whose valor is that of daring rather than that of discretion, freely stating "that it is to preserve order in this country." Alas that we have reached that point where what many of us have prophesied was the real object is now confessed. The use of the military force, drawn from portions of the country wholly foreign to the community in which they may be serving, to "preserve order" by Winchester and hush protests by bayonets!

WHO IS IT TO BE SUPPRESSED?

Mr. Chairman, I follow the suggestion, who is it to be feared? Who is it that disturbs the peace? Who is that disturbs the order? Who are they? The discontented, that have been termed on the floor the "mobs;" that the great army of poor whose offense is that of Oliver Twist, the pleading for more? It is to suppress these either by the fear that they will be set upon by this armament of death or by the experience of the actual assault.

FREE EXPRESSION THE GUARANTOR OF PEACE AND ORDER.

Will reflective men in this generation not pause to consider that this free expression of grievance, stated from rostrum or from gatherings, is the exhaust valve to our pent-up Republic, the preservation of our freedom, and has ever been the secret of our salvation? Does this not follow because of freedom itself? Does it not follow because each man having the freedom to express his ideas of remedy, and thus many expressing freely a multitude of differences, their conceived solutions produce factions and so defeat the concentration? Concessions yielding to conditions merge into moderate demands, and all is solved and peace ensues. Take the other view.

When no speech is allowed, criticism suppressed, protest hushed, the question then is not one of ways and means of reaching the end by which they may divide. The only question then is for an opportunity to express themselves upon the main existence of the real or supposed evil. As to this they are a unit. In that unity of this revolt against oppression lies the danger of the only revolution this country is likely to suffer. Under these conditions we get the revolution of arms, the dethronement of the institutions of our fathers, and the destruction of the Government itself.

ILLUSTRATIONS PERTINENT.

History does not present the instances of benign rulers who possessed the power of statesmen and the magnanimity of humanitarians so long as they were given unlimited power to destroy whatever opposed them. Humanity is the same to-day as it was when it struggled against the receding wave of the Red Sea. It will not pause in action when endowed with the power of destruction of adversaries, when accorded the privilege of striking down opposition with a single blow. Might I not refer to a few illustrations demonstrating this truth? In a few instances some soldiers have been good statesmen, but in the great number of instances great statesmen could not be great soldiers. To be a good soldier carries with it the necessity of the existence of a great war. Great statesmen have no place during great wars, as great soldiers can have no place during a prosperous peace.

SOLDIERS WHO WERE STATESMEN—THOSE WHO WERE NOT.

Thus, to give only a few specimens from a single people, we find that "the three most successful statesmen Greece ever produced," says Buckle, "were Solon, Themistocles, and Epaminondas," all of whom were distinguished military commanders. Socrates, supposed by some to be the wisest of the ancients, was a soldier, and so was Plato, and so was Antisthenes, the celebrated founder of the Cynics. Archytas, who gave a new direction to the Pythagorean philosophy, and Melissus, who developed the Eleatic philosophy, were both of them well-known generals, famous alike in literature and war.

Among the most ancient orators, Pericles, Alcibiades, Andocides, Demosthenes, and Æschines were all members of the military profession, as also were the two greatest tragic writers, Æschylus and Sophocles. Archilochus, who is said to have invented iambic verses, and whom Horace took as a model, was a soldier; and the same profession could likewise boast of Tyrtaeus, one of the founders of elegaic poetry, and of Alcæus, one of the best composers of lyric poetry.

The most philosophic of all the Greek historians was certainly Thucydides; but he, as well as Xenophon and Polybius, held high military appointments, and on more than one occasion succeeded in changing the fortunes of war. In the midst of the hurry and turmoil of camps these eminent men cultivated their minds to the highest point that the knowledge of that age would allow, and so wide is the range of their thoughts and such the beauty and dignity of their style that their works are read by thousands who care nothing about the sieges and battles in which they were engaged.

THE RULE IN THE MODERN WORLD.

These were among the ornaments of the military profession in the ancient world, and all of them wrote in the same language and were read by the same people. But in the modern world this identical profession, including many millions of men and covering the whole of Europe, has never been able, since the sixteenth century, to produce ten authors who have reached the first class, either as writers or thinkers. Descartes is an instance of a European soldier combining the two qualities, he being as remarkable for the exquisite beauty of his style as for the depth and originality of his inquiries.

This, however, is a solitary case; and there is, I believe, says Buckle, "no second one of a modern military writer thus excelling in both departments. Certainly the English army, during the last two hundred and fifty years, affords no example of it, and has, in fact, only possessed two authors, Raleigh and Napier, whose works are recognized as models and are studied merely for their intrinsic merit. Still, this is simply in reference to their style; and these two historians, notwithstanding their skill in composition, have never been reputed profound thinkers on difficult subjects, nor have they added anything of moment to the stock of our knowledge.

In the same way, among the ancient, the most eminent soldiers were likewise the most eminent statesmen, and the best leaders of the army were generally the best governors of the state. But here again the progress of society has wrought so great a change that for a long period instances of this have been excessively rare. Even Gustavus Adolphus and Frederick the Great failed ignominiously in their domestic policy, and showed themselves as shortsighted in the arts of peace as they were sagacious in the arts of war. Cromwell, Washington, and Napoleon are perhaps the only first-rate modern warriors of whom it can be said that they were equally competent to govern a kingdom and command an army. And if we look at England as furnishing a familiar illustration, we see this remark exemplified in her two greatest generals, Marlborough and Wellington.

Marlborough was a man not only of the most idle and frivolous pursuits, but was so ignorant that his deficiencies made him the ridicule of his contemporaries; and of politics he had no other idea but to gain the favor of the sovereign by flattering his mistress, to desert the brother of that sovereign at his utmost need, and afterwards, by a double treachery, turn against his next benefactor and engage in a criminal as well as a foolish correspondence with the very man whom a few years ago he had infamously abandoned.

These were the characteristics of the greatest conqueror of his age, the hero of a hundred fights, the victor of Blenheim and of Ramillies. As to the other great warrior, it is indeed true, says the historian, that the name of Wellington should never be pronounced by Englishmen without gratitude and respect. These feelings, however, are due solely to his vast military services, the importance of which it would ill become any of us to forget.

But whoever has studied the civil history of England during the present century knows full well that this military chief, who in the field shone without a rival, and who, to his still greater glory be it said, possessed an integrity of purpose, an unflinching honesty, and a high moral feeling which could not be surpassed, was, nevertheless, utterly unequal to the complicated exigencies of political life.

It is notorious that in his views of the most important measures he was always in the wrong. It is notorious, and the evidence of it stands recorded in Parliamentary Debates, that every great measure which was carried, every great improvement, every great step in reform, every concession to the popular wishes, was strenuously opposed by the Duke of Wellington, became law in spite of his opposition, and after his mournful declarations that by such means the security of England would be seriously imperiled.

Yet there is now hardly a forward schoolboy who does not know that to these very measures the present stability of England is mainly owing. Experience, the great test of wisdom, has amply proved that those vast schemes of reform which the Duke of Wellington spent his political life in opposing were, I will not say expedient or advisable, but were indispensably necessary. That policy of resisting the popular will which he constantly advised is precisely the policy which has been pursued since the Congress of Vienna in every monarchy, and now seems popular in America.

The result of that policy is written for our instruction; it is written in that great explosion of popular passion which in the moment of its wrath upset the proudest thrones, destroyed princely families, ruined noble houses, desolated beautiful cities, as witnessed in France. And if the counsel of Wellington had been followed, if the just demands of the people had been refused, this same lesson would have been written in the annals of England, and she would most assuredly have been unable to escape the consequence of that terrible catastrophe in which the ignorance and selfishness of rulers did only a few years ago involve a large part of the civilized world.

In this country, in our home, Mr. Chairman, Washington was the single and sole exception to the rule. This is because he was fighting for Washington. It was Washington's fate he was preserving and the fates of Washington's kinsmen. Lincoln was an eminent statesman, but could not have been a soldier. Grant was a soldier too credulous to see through the schemes of contriving statesmen, too manly to execute the purpose of their despotism. As a soldier he was great, but, as the venerable Senator Hoar, of Massachusetts, writes of him, "as a statesman he was weak." These discriminating doctrines and fixed rules are born from one text, and an unvarying text it is: That to be successful as a warrior one must be in war, and in war heartless. To be great and successful as a statesman one must be in peace, and in peace considerate and forbearing.

FOR SUPPRESSION OF CIVIL DISCORD.

One further evidence shall suffice to prove my charge. I have intimated a charge that the purpose of this great organization was to suppress civil discord—to comply with the demands of the great employers of large labor as a return for the contributions and influence they have given political parties. Can I better prove this

than by producing an incontrovertible incident? Can I better establish it than by presenting to the American public the change of sentiment in this country by which a party which at one time was the author of a humane doctrine to-day, only a short distance from their first act, becomes the advocate of the contrary view, the principle of despotic oppression?

In 1878, when the distinguished Samuel J. Randall was the Speaker of this House and such eminent heroes of the late civil war as John A. Logan and Benjamin F. Butler were in the councils of the nation, an attempt was made for a reorganization of the Army by reducing its officers and compacting its lines. This by their advice. Congress, through both Houses—and in this House by a vote of 154 to 48—passed, and it became a law, the following provision. I reproduce it literally:

Be it enacted, etc., That from and after the passage of this act it shall not be lawful to employ any part of the Army of the United States as a posse comitatus, or otherwise, for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution or by act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section; and any person wilfully violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding \$10,000 or imprisonment not exceeding two years, or by both such fine and imprisonment.

Yet in just twenty years from that date many gentlemen who had given their vote for that measure, and now confess it, defeat by a strict majority vote the very identical provision when offered to the present alleged Army bill; and this when all who understand the doctrines of law well know the present bill repeals the provisions of existing laws upon the same subjects, thus repealing this act of 1878 by a direct and special provision. To demonstrate that the bill is to repeal that provision the House refuses at this time to reenact it. This provision means only that the Army shall be used for the purpose of an army, foreign war, and insurrection; that it shall not be used to suppress ordinary civil disturbances in sovereign States for which under our form of government police constabulary and, in extreme cases, local militia have been solely constituted.

The provision of my distinguished friend from New York [Mr. CUMMINGS] goes a step even less than the provision of 1878; merely prescribing that the States shall not be controlled by this Federal arm, but by their own State organizations, save in the rare instances where the governors of those States would find the State in rebellion and be forced to call upon the Federal Government. His amendment is as follows:

Provided, That no part of the Army constituted or organized under this bill shall be used for or shall do the duty of a posse comitatus, or be employed in putting down strikes or riots or do any police duty whatever in any State in this Union, except upon the application of the governor of such State to the President, stating that he has not sufficient force to maintain or restore order.

I am complimented by the fact that it is something of a copy of a similar amendment I tendered to the House upon the artillery bill which was placed before this House in February, 1898. My amendment was defeated then upon the ground that so small an addition of artillery did not necessitate such precautions; now, Mr. CUMMINGS is defeated upon the ground that so large an addition to the Army would brook no such interference with their discretion.

UNJUST DISCRIMINATION AGAINST VOLUNTEERS.

Mr. Chairman, why is this continued discrimination against the volunteers? I speak in their behalf. I have spoken before when cursed by the unconsidered mutterings of the empty headed and spewed on by the mewlings of the shallow hearted. This class of men have given me no concern, whether they have been speakers or writers.

WHO IS THE VOLUNTEER SOLDIER?

I recall that it was Cicero who said, "Odium heaped upon me for the sake of right and for honor's cause I would not take as odium, but as compliment." I adapt and lay this flattering unction to myself. Sir, was it not the volunteers who fought the wars of the Revolution? Was it not the volunteers, with all their sacrifices, who preserved us against our most rapacious enemy—England—in 1812? Was it not the volunteers who emblazoned the glories of this country upon the halls of the Montezumas and crimsoned with red immortality Alamo, Chapultepec, and Vera Cruz? Was the volunteer not the stay and support of Andrew Jackson, which caused him to write, saying, "A State can ever rely for its preservation and safety upon the militia, who are willing to give life whenever necessary to maintain existence and freedom?" [Applause.]

Sir, in the greatest drama of blood enacted in the theater of death—the late civil war—was it not the volunteer, often a brother who volunteered against a brother, both volunteers, who gave undying fame to American citizenship and stamped as immortal the unparalleled valor of the volunteer soldier? Does Antietam, Shiloh, and Gettysburg speak nothing of confidence for those who are now deserted and whom many assume now to despise? [Applause.]

Mr. Chairman, I am attracted by the New York Times, an eminently edited but a wretchedly misguided paper. It reproduces an article from an exchange and to it adds an editorial. I am the distinguished subject. I read:

JAMES HAMILTON LEWIS, the mountebank, with an ability dangerous of its kind, who got himself talked about for daring to say that the volunteers of the State of Washington, of which he is the Representative, and in which volunteers he is something of an officer, was as good as the regulars, had better now have the decency to apologize for such a statement, and FREEMAN KNOWLES, the demagogue from South Dakota, should debase himself for his utterances.

THE WESTERN VOLUNTEER.

Mr. Chairman, it is such expressions as these, not meant at heart, I am sure, and such sentiments as now pervade certain sections of this country and certain classes of its people which will make the volunteer feel himself a war slave or a private mendicant upon the charity of the United States. Such will do more to dampen his ardor, cool his enthusiasm, and prevent the tender of his valiant service than all things else combined.

Now, sir, I repeat my statement that the Washington volunteers are as good as those of the Regular Army. I go further. They are as brave and valorous, and Heaven knows they are as good and as honorable. I have served with them, I have associated daily with them, and I love them. Not one of them has ever brought to his State the shame that colors before the gaze of other States of the Union, as have certain alleged Army officers shamed their nation before the eyes of the civilized world.

Sir, the First Regiment of the State of Washington is in the land of the Philippines. They are to-day resting upon arms at the gates of Manila. If the tap for duty shall resound, take my word for it, a more valorous band never wheeled into death with unflinching courage and godlike sacrifice will be the history written of the First Washington Volunteers when the conflict is over. There has never been a duty which they have shirked. There has never been a sacrifice they have not been willing to undertake. These Washington volunteers, as other volunteers, were so situated in life that when they yielded up home they yielded up the decrepit parent who was dependent upon them, turned from the yearning wife and imploring mother; from the clamoring child and smiling baby, to leave all desolate when life shall be given to country. Their sacrifice is greater and they are entitled of mankind to encomiums which are higher and more glorious than are written for the ordinary man. [Loud applause.]

IT IS SUCH VOLUNTEERS MOST WRONGED.

But, sir, it is such as these who in this bill are most unjustly discriminated against. What shall the nation think? Indeed, what shall the fathers of the soldiers think and how shall they feel? What will the mothers of the sons say, and how shall they suffer when they realize that this House, made up of the Representatives who are supposed to voice the best sentiments of the land, has studiously, carefully, and with deliberate design decided to favor a certain set of men who have given few sacrifices and unwilling to give more either for country or for honor against these deserving volunteers and at the expense of what should be the reward for valor; that the volunteers are to be dishonored because of their service and disgraced because of their sacrifice?

Their stimulus to future service in hopes of that recognition known as promotion to honorable office is denied the volunteer under this bill. He may have mental equipment, physical capacity, soldierly accomplishments, and all the manly attributes to fit him for promotion to the staff, to fit him to positions of elevation, and fit him for official distinction, yet he can not hope. Indeed, no service upon the field, however distinguished; no feat, however glorious; no achievement, however commanding, can give him the least recognition, though recommended by the President of the United States, because a certain set of gentlemen exercising influences over certain other gentlemen who hold influential positions in legislation in this House have succeeded in specifically preserving in this bill a proscription against the volunteer.

To illustrate, behold section 19, among other sections, "to provide further that officers of the Regular Army shall be eligible to appointment to any of the staff corps of the Army." This prescribes who shall be eligible to staff positions and is to be read by those who construe and apply it that only officers of the Regular Army shall be eligible to appointment to any staff corps of the Army. Shall there be any who doubt this? Shall there be those who, loth to believe that a Congress could do such injustice, dispute that this was the meaning and the object?

PROOF POSITIVE OF INJUSTICE.

Then, as proof, I invite attention to the fact that an amendment to this section was offered by myself to remedy and disabuse this injustice which, in yesterday's RECORD, page 1436, I read as I tendered it:

Mr. LEWIS of Washington. I assume now to offer the amendment I sent to the desk.

"Insert in page 20, line 3, of section 19, after the word 'Regular' the word 'Volunteer'; so as to read, 'that the officers of the Regular and Volunteer Army shall be eligible to appointment to any of the staff corps.'"

There, as appears in the RECORD, I made plain the purpose when I stated I wanted this privilege of promotion to apply to the Volunteer Army as well as to the Regular. The Chairman ruled at once the debate would not be in order. The amendment was at once voted down, and then division was called. Let it be noted that they were 65 strong who voted for the volunteer to have equal rights with the favorites, while 100, being a majority, voted absolutely against it, defeated the amendment, and thus reemphasized the purpose to make the volunteer the burden carrier and the regular the honor bearer. It is against this that I protest. I protested before in no uncertain tone of language, and I shall continue. I shall make this discrimination plain before the country that they may at least know the wrong, whether they choose or fear to right it.

THE BURDEN OF EXPENSE TO THE NATION.

Mr. Chairman, there is a practical phase to this question. It is the awful expense to be put upon the wealth earners of this country. Upon those who will toil and those who will suffer with labor the \$150,000,000 a year is to fall and to be the annual expense; \$100,000,000 more as incidental expense to keep up this Army—\$250,000,000 annually. In this calculation I am not including that which must arise from the maintenance of hospitals, from the decimation in the ranks by plague and disease, by climate and evil influences, which to those acquainted with army life need not be enumerated.

I am not one who would permit the necessary expense, where the expenses would be necessary, to deter a measure. Indeed, I would not consider the exactness of expenses where the object was necessary. To the contrary, in this I would rather "do a little wrong to do a great right," by exceeding the absolute estimate of expense. But where the object is without necessity; where, as here, it is without even an excuse, this expense—this burden—must speak out. I am forced to remind the country that the commander in chief of the Army, General Miles, in speaking of the needs of the Army, considering the increase of population, the needs of service in foreign countries, the demands in our immediate provinces, places the maximum at 78,000. He estimated as follows:

For frontier defense.....	15,000
For noncoast defense.....	14,000
For Porto Rico.....	4,000
For Cuba.....	20,000
For Philippines.....	25,000

Total estimates..... 78,000

What are they going to do with the 100,000? General Miles places the utmost need at 78,000. Why provide 100,000? But on the usual basis of \$1,000 per man per year, even the estimate of the Commanding General means the enormous sum of \$78,000,000 burden upon the country every year for our military establishment. Surely General Miles can not be suspected of underestimating the needs; and yet his estimate is far below the provisions of this bill. Why?

WHAT ARE THEY GOING TO DO WITH THEM?

As a matter of fact, the largest item in his estimate is for the Philippines, and his total is more than 20,000 less than the number provided for in the bill. According to his estimate, there is proposed a military establishment for the Philippines alone as great as our present establishment for the whole country. With the added increase of 25 per cent in the pay of the Army proposed by the bill, and the added cost of transportation and maintenance 15,000 to 17,000 miles from the base of supplies, in a pestilential climate (easily 25 per cent more than a like number in this country), this means thirty-five millions a year for the Philippine establishment alone. So that, if we were to get the entire Philippine trade, and if the whole of it were clean profit to us, we should not be able to pay for our military establishment over there with the entire trade of the group. But it goes without saying that the trade we get will not be all profit; and we will not get it all. We are pledged by the treaty to keep an "open door" there.

This means an annual burden of \$150,000,000 upon productive industry, an additional burden equal to 70 per cent of the value of the great staple crop of my section. Think of it, Mr. Chairman; 15 per cent of the entire value of the cotton or wheat crop to be expended for an army alone.

This large Army must be computed along with the consideration of 300,000 accessible volunteers. With the reserve militia of 500,000 additional volunteers this latter like force is not included in any of the calculations of foreign powers when we estimated the footing of their war basis.

COMPARISON WITH EUROPE.

Yet in neither Great Britain, Germany, France, nor Russia, in the proportion their population bears to the proportion of those who are, under their theory of government, subject to actual service,

is there a larger proportion in time of peace of soldiers to the citizens than will be under this bill. The roster of these countries I append:

Country.	Peace footing.	War footing.
Great Britain.....	150,302	500,230
Germany.....	502,352	3,000,000
France.....	615,413	2,500,000
Russia.....	750,944	2,512,143

In United States: Regulars, 100,000; volunteers, 800,000; or 900,000 sustained Army in time of peace.

And I now call attention to something of the expenses by comparison. Let us compare this expense with like expenses of other nations. Russia has a standing army of 1,000,000 men, and it costs her only \$155,000,000 per year for all purposes, and less for each than any other country. France comes next, with 589,000 men, and spends for her army \$145,000,000 per year.

Germany has an army of 585,000 men, which costs her \$135,000,000 per year.

Austria-Hungary has an army of 360,000 men, that costs \$90,000,000 a year.

Italy has an army of 270,000 men, that costs her \$55,000,000.

These estimates, obtained from the Ohio State Journal, are for the Army alone and do not include the expenses of the Navy. According to Secretary Alger's request, we must pay \$11,000,000 more for an army of 100,000 men than Russia does for 1,000,000 men. I therefore assert that this bill, if passed, should be styled a bill to perpetually rob the American people, to build up an American aristocracy, to overawe labor and protect trusts and corporations, to provide offices for political pets and the sons of millionaires. It is my deliberate judgment that this bill is demanded by the moneyed interests of this country, who control certain official influence.

Mr. Atkinson's estimate:

EXPENDITURES.	
As per Secretary's estimate.....	\$540,000,000
Add for proposed increase of Army to 800,000 men, increase of Navy, coast defenses in Cuba, Porto Rico, and Hawaii.....	78,000,000
Total at a fraction under \$8 per head.....	618,000,000
Deficit.....	170,000,000
This deficit of over \$2 per head must be provided by direct taxation.	
78,000,000 persons taxed at \$8 per head pay.....	624,000,000
If taxed at the nominal rate of \$5 per head, which has sufficed for twenty-one years, the sum would be.....	390,000,000
Cost of imperialism, \$3 per head.....	234,000,000
This policy will raise the tax on every family of five persons from \$25 to \$40 a year.	

But the whole cost is not even yet disclosed. The increase of the Army from 25,000 to 100,000 men can only contemplate service in Cuba, Porto Rico, and the Philippines of a force of at least 60,000 out of the 100,000, leaving 40,000 for home service where 25,000 have amply sufficed.

At least one-half the force of 60,000 will either die or become disabled every year. According to English experience in India and French experience in their tropical colonies of a death rate of 100 in each 1,000, 5 per cent will be sent home every year to be supported in hospitals or at the public cost from venereal diseases only, by which more than half the Army is infected.

Yet the Secretary of the Treasury reduces the estimate for pensions in 1900 below that of the present year. This can only be due to inadvertence, but how much must be added no one can compute.

In my previous guarded analysis I overestimated the income from the war-revenue act now in force. All my other computations are more than sustained by the report of the Secretary of the Treasury.

The money cost of the national crime which the advocates of imperialism propose to commit in the face of the declaration of President McKinley that such an act would be one of "criminal aggression" will be not less than \$3 per head, \$15 per family, in amount \$234,000,000, in the next fiscal year, and probably more.

The pretenses upon which this so-called policy of imperialism is promoted consist of mixed motives of profits and patriotism.

THE IMPENDING CONFLICT.

We are now confronted with a conflict the end of which the wisest can not see and the solution of which our best prophets can not foretell. The nation is running behind in its expenditures with its receipts \$90,000,000 per month. The Dingley tariff bill can not meet the ordinary expenses of the Government in its civil administration. The war-tax bill and the bond issues are falling far short. Before my people will be able to read these utterances in pamphlet form another mortgage will be placed upon the laboring man and the farmer, upon the merchant and the banker, in the form of more bonds, and that issue must further continue.

The Philippines in a state of war, the island can yield us no revenue. All its returns must be consumed in the payment of its own governmental administration, particularly as the returns will be limited. The amount we will receive under the conditions will be so limited as to force from the General Government an

annual contribution. The same condition, only in a slight proportion less, applies to Cuba and Porto Rico. In the Republic proper, the United States, our exports are exchanged for imports. Imports will bring no revenue. Our exports, to a large degree, bring no money, as is well known; that much that is marked as exports and with which the country is being befuddled in figures is, in a great degree, the substances we send to our own possessions, to our own people, for their consumption and use, for which we do not obtain pay from foreign people, but are compelled to buy and pay for at home, receiving nothing in return.

Yet on the face of the figures the public is led to assume that these vast export supplies to the armies in Cuba, Porto Rico, Santiago, Hawaii, and the Philippines are exported "abroad," from which there follows the assumption of wealth flowing to our people. In many instances such is true, but in the great aggregate the figures are deceiving, and in many instances are purposely presented for that object. This all confronts us with the awful question, What shall be the end?

DISCRETION OF PRESIDENT.

It is answered that as soon as such a burden appears the President will reduce the Army. It will be diminished by his order. It is also claimed that in the exercise of his discretion the Army will never be used for improper motives or oppressive uses.

GOVERNMENTS OVERTHROWN BY THEIR OWN ARMIES.

Mr. Chairman, this brings me to the consideration of the argument which has been used since governments have been founded. It is that those in power, if you give them an army of strength, will willingly yield it up. Sir, the promise fills the pages of history, yet an example in the fulfillment of the promise is not recorded in the annals of human experience. Caesar was a great man while he was a statesman. He was a great soldier when he was such, but as his soldierly qualities merged into the privileges of the despot, there was no tyrant severer. His army was given him under the assurance that it was composed of the best of the Roman citizens; it would never be used to base purposes. Yet we know that subsequently it was that same army that broke down the Roman institutions of freedom and deprived the republic of its individual liberty.

In England a king, over the protest of the people, was allowed to increase his army and to take uncontrolled command and given an unlimited discretion in its use. So, too, was one of the under officers of the realm. There was, concerning this grant of power, the general promise that so good a man as Oliver Cromwell would never defy the people; never controvert their wishes, much less overthrow their organization of government. Sir, it was not long following this promise, after the privilege was permitted, before this army was the same which marched into the halls of Parliament and drove the legislators from their places and closed the doors of the nation's deliberative councils.

In France, under Napoleon, the conditions were repeated, the consequences and results infinitely worse, and yet Napoleon quoted Cromwell as an authority and justification; Cromwell quoted Caesar before him. In our own day, in this age, we can not refuse to recall how the United States Army put to the bayonet the Louisiana legislature, the sovereign legislature of a sovereign State; how it violated the constitution of Illinois and the Constitution of the United States in its two unconstitutional inroads upon the rights of that State—once while a Republican President was in power and another time while a Democrat was President.

I bring to the attention of the House that there was no stronger Tory in the English Government and who more thoroughly believed in the succession of privileges than William Poulteney, the first peer of Bath; yet Poulteney was able to see that there were some measures which would destroy any country; would produce results which are so evil that they fulfill the oft-made prophecies of destruction. It was when England sought to do just what we are doing to-day, in an attempt to increase the army and place it in the attitude that is now attempted to be repeated by the management in this House. Said that eminent statesman, while a member of Parliament, in 1741:

We have heard a great deal about Parliamentary armies, and about an army continued from year to year. I have always been, sir, and always shall be, against a standing army of any kind. To me it is a terrible thing, whether under that of Parliament or any other designation. A standing army is still a standing army, whatever name it be called by. They are a body of men distinct from the body of the people; they are governed by different laws; and blind obedience and entire submission to the orders of their commanding officer is their only principle. The nations around us, sir, are already enslaved, and have been enslaved by these very means; by means of their standing armies they have every one lost their liberties. It is indeed impossible that the liberties of the people can be preserved in any country where a numerous standing army is kept up. Shall we, then, take any of our measures from the examples of our neighbors? No, sir; on the contrary, from their misfortunes we ought to learn to avoid those rocks upon which they have split.

It signifies nothing to tell me that our army is commanded by such gentlemen as can not be supposed to join in any measure for enslaving their country. It may be so. I hope it is so. I have a very good opinion of many gentlemen now in the army. I believe they would not join in any such measures. But their lives are uncertain, nor can we be sure how long they

may be continued in command. They may be all dismissed in a moment and proper tools of power put in their room. Besides, sir, we know the passions of men; we know how dangerous it is to trust the best of men with too much power. Where was there a braver army than that under Julius Caesar? Where was there ever an army that had served their country more faithfully? The army was commanded by the best citizens of Rome, by men of great fortune and figure in their country, yet that army enslaved their country. The affections of the soldiers toward their country, the honor and integrity of the under officers, are not to be depended upon.

By the military law the administration of justice is so quick and the punishments so severe that neither officer nor soldier dares offer to dispute the orders of his supreme commander; he must not consult his own inclinations. If an officer were commanded to pull his own father out of this house, he must do it. He dares not disobey. Immediate death would be the sure consequence of the least grumbling. And if an officer were sent into the court of requests, accompanied by a body of musketeers with scrowed bayonets and with orders to tell us what we ought to do and how we were to vote, I know what would be the duty of this house. I know it would be our duty to order the officer to be taken and hanged up at the door of the lobby. But, sir, I doubt much if such a spirit could be found in the house or in any House of Commons that will ever be in England.

Sir, I talk not of imaginary things. I talk of what has happened to an English House of Commons, and from an English army; and not only from an English army, but an army that was raised by that very House of Commons, an army that was paid by them, and an army that was commanded by generals appointed by them. Therefore, do not let us vainly imagine that an army raised and maintained by authority of Parliament will always be submissive to them. If an army be so numerous as to have it in their power to overawe the Parliament, they will be submissive as long as the Parliament does nothing to disoblige their favorite general; but when that case happens, I am afraid that, in place of Parliament dismissing the army, the army will dismiss the Parliament, as they have done heretofore.

Armies, sir, have no regard to just successions. The first two Caesars at Rome did pretty well, and found means to keep their armies in tolerable subjection, because the generals and officers were all their own creatures. But how did it fare with their successors? Was not every one of them named by the army, without any regard to right?

We are told that this army is desired to be continued but for one year longer, or for a limited term of years. How absurd is this distinction! Is there any army in the world continued for any term of years? Does the most absolute monarch tell his army that he is to continue them any number of years or any number of months? How long have we already continued our army from year to year? And if it thus continues, wherein will it differ from the standing armies of those countries which have already submitted their necks to the yoke? We are now come to the Rubicon.

This nation, already overburdened with debts and taxes, must be loaded with the heavy charge of perpetually supporting a numerous standing army, and remain forever exposed to the danger of having its liberties and privileges trampled upon by any future ruler or ministry who shall take it in their head to do so and shall take a proper care to model the army for that purpose.

Mr. Chairman, in our own land no better statesman, nor greater, differing as I do from many of his political views, was there than Henry Clay. And yet, when such a man as President Andrew Jackson asked to have such an army, comparing to that Government in proportion as this army compares to ours, placed in his hands, the proposition forced upon Mr. Clay the prospects of its consequences, and impelled him, even as against his desires, contrary to the proprieties of his situation, at the expense of brooking criticism, taunts, and even to be maligned by those who did not understand his patriotism nor appreciate it, to opposing the proposition; and in doing so, said he:

Recall to your recollection the free nations which have gone before us. Where are they now?

Gone glimmering through the dream of things that were,
A schoolboy's tale, the wonder of an hour.

And how have they lost their liberties? If we could transport ourselves back to the ages when Greece and Rome flourished in their greatest prosperity, and, mingling in the throng, should ask a Grecian if he did not fear that some daring military chieftain, covered with glory, some Philip, or Alexander, would one day overthrow the liberties of his country, the confident and indignant Grecian would exclaim, "No, no! We have nothing to fear from our heroes; our liberties will be eternal." If a Roman citizen had been asked if he did not fear that the conqueror of Gaul might establish a throne upon the ruins of public liberty, he would have instantly repelled the unjust insinuation. Yet Greece fell, Caesar passed the Rubicon, and the patriotic arm even of Brutus could not preserve the liberties of his devoted country.

The celebrated Madame de Stael, in her last and perhaps her best work, has said that in the very year, almost the very month, when the president of the directory declared that monarchy would never show its frightful head in France Bonaparte, with his grenadiers, entered the palace of St. Cloud and, dispersing with the bayonet the deputies of the people deliberating on the affairs of the State, laid the foundation of that vast fabric of despotism which overshadowed all Europe. I hope not to be misunderstood. I am far from intimating that General Jackson cherishes any designs inimical to the liberties of the country. I believe his intentions to be pure and patriotic. I thank God that he would not, but I thank Him still more that he could not if he would, overturn the liberties of the Republic. But precedents, if bad, are fraught with the most dangerous consequences.

Man has been described by some of those who have treated of his nature as a bundle of habits. The definition is much truer when applied to governments. Precedents are their habits. There is one important difference between the formation of habits by an individual and by governments. He contracts it only after frequent repetition. A single instance fixes the habit and determines the direction of governments. Against the alarming doctrine of unlimited discretion in our military commanders, when applied even to prisoners of war, I must enter my protest. It begins upon them; it will end upon us. I hope our happy form of government is to be perpetual. But, if it is to be preserved, it must be by the practice of virtue, by justice, by moderation, by magnanimity, by greatness of soul, by keeping a watchful and steady eye upon the Executive, and, above all, by holding to a strict accountability the military branch of the public force.

We are fighting a great moral battle for the benefit not only of our country, but for all mankind. The eyes of the whole world are in fixed attention upon us. One, and the largest, portion of it is gazing with contempt, with jealousy, and with envy; the other portion with hope, with confidence, and with affection. Everywhere the black cloud of legitimacy is suspended over

the world save only one bright spot, which breaks out from the political hemisphere of the West to enlighten, and animate, and gladden the human heart. Obscure that by the downfall of liberty here and all mankind are enshrouded in a pall of universal darkness. To you, Mr. Chairman, belongs the high privilege of transmitting unimpaired to posterity the fair character and liberty of our country. Do you expect to execute this high trust by trampling, or suffering to be trampled, down law, justice, the Constitution, and the rights of the people? By exhibiting examples of inhumanity and cruelty and ambition?

Beware how you forfeit this exalted character. Beware how you give a fatal sanction, in this infant period of our Republic, scarcely yet twoscore years old, to military subordination. Remember that Greece had her Alexander, Rome her Caesar, England her Cromwell, France her Bonaparte, and that if we would escape the rock on which they split we must avoid their errors.

MR. MCKINLEY AS THE PRESIDENT.

Mr. Chairman, I am one of those who are at much variance with the distinguished Executive upon his civil policies. I am not altogether in harmony with his military policy. I differ in many respects from his foreign policy. But, sir, I have ever been one of those who certified my belief in his exalted patriotism, in his public probity, and in his Christian character. Upon the last of these, even if doubt could ever arise as to either of the former, I am willing to hang my confidence. Yet it is not the man himself, as it is the influences about the office, which in past time we have had occasion to bemoan and the country the consequences of which to wail.

It is not as to this Caesar I am worried. The first Caesars did well with their army as long as they kept it in subjection and the appointments created no revolt nor dissensions, but what of the latter two who followed? We can but shudder as we recall. It is not as to this President, it is not to Mr. McKinley as citizen of the Republic, it is to the Presidents of the United States, those who come after; the next one, and the next after the next, what of those?

Sir, a distinguished friend of the Executive compared the present occupant of the White House to the saintly Master of Palestine.

Let me in reply say that more than the Lord Jesus none would claim the present distinguished Executive to be, and yet of that saintly Nazarene, when in His administration of the temporal affairs on earth, we recall that in His apostolic cabinet there was a doubting Thomas, a denying Peter, a betraying Judas, and a bribetaking Caiaphas. Surely, the present distinguished President is but mortal and that we know him and wish for him and his country blessed; still all admit that his sacerdotal councils are not free from the lineal descendants of all those who worked the crucifixion of the Christ. [Laughter and applause.]

Mr. Chairman, a suggestion further which must dispose of comparison. Charles James Fox, in the British Parliament, immediately following the Revolution of France, called attention that a doctrine prevailing in that once kingdom announcing that it took three generations to make an officer and that all beneath him were subjects of discontent. Thus a soldier had lost his quality as well as his interest as a citizen when the hour came to defend his country. Then it was he joined with its assailants—this because he had obtained nothing under his present existence; he only hoped that any future changed condition might return him better.

Mr. Fox insisted that the British soldier should be taught to believe and to know that his rights as a citizen would not be lost in his becoming a soldier.

For this he was condemned by Pitt, criticised by Burke, upheld only by Sir James McIntosh. Now that the century has passed, subsequent events so demonstrating the truthfulness and justice of the positions of the great commoner that we now have Lord Trevelin, in his best of biographies, justifying this view of Mr. Fox and announcing that at a later time England did adopt substantially that policy which has since been the inspiring motive of her soldiers in feeling that they are not apart from the government and of the constitution, but rather of those which are intended to enjoy what they protect and transmit what they save.

WASHINGTON AND GRANT—THE CRY "DEMAGOGUE."

At the close of the Revolutionary war in this country there was an attempt to create a royal society of the officers of the Revolutionary army. The regulation of this society forbade the entrance to a private or of any other save the select. George Washington had before him history, around him humanity, within him the consciousness of what must be if this course was given encouragement. At the expense of being condemned, berated, and even hissed in the public gathering, he announced that this organization should not survive, and in a splendid letter, together with an excellent address, showed how its beginning would end in woeful consequences to the Republic and in its examples.

IGNORANCE OF TEACHING—PUBLIC PRESS, ETC.

Sir, in the late speech made in this House, the speech of so much reference and condemnation, I used the expression "that Army officers in time of peace, all save a certain few necessary to main-

tain integral organization, ought to pursue the course of private life and engage in some business engagement earning their living;" "that such course would make the Government nearer and dearer to them; it would keep them in closer sympathy with the pursuits and aspirations of their fellow-man."

I recall that many eminent journals of this country hooted "demagogue" and hissed "mountebank" for these sentiments. In one eminent magazine my picture in the uniform of my service as an officer of my home regiment was held up to ridicule, and this latter sentiment inscribed beneath this picture. In another, in its editorial columns for days and days, indeed, for a year, have I been the subject of the most admirable satire.

THE EXTRACT FROM GRANT.

Of this, sir, I did not complain, but my complaint is that such eminent sources should either display such infinite ignorance of or such complete contempt for distinguished sources. Let it now be understood that those sentiments were not only spoken by me; they were uttered by Gen. Ulysses Simpson Grant, and I now read and repeat the same utterances and reaccentuate them. I read from Grant's personal memoirs, volume 1, page 283, the speech of General Grant, made at Cairo, which, upon reflection, he continued to adopt and in years after wrote in his memoirs as a text in the fulfillment of which, to his mind, produced the best solution of the question which is now upon us. My quotation will appear to have been literal.

But, sir, as the words "of the Army" were omitted in the first publication in the RECORD, that is, in the raw notes of the stenographer in my expression concerning "satraps and sapheads," so too were the quotation marks omitted, as the reporter could not tell I was quoting if he was not familiar with the expression. Thus it is that absence of these little quotation marks have drawn eminent journalists throughout the country to busy themselves with exciting the risibilities of susceptible readers over the humble object from the State of Washington, and thus betray an ignorance hardly pardonable, or to making charges against so eminent a man so manifestly unjust and impolitic that the apology honorable is at once due the dead from these distinguished sources.

I STAND WITH WASHINGTON AND GRANT.

Mr. Chairman, I stand with Washington and with Grant. I stand with them in my sentiments; I stand for their creeds. In my hopes I adopt their sacred doctrines and follow them. I ask for nothing higher. I shall accept nothing lower. They wrote and spoke with the history of nations as well as of men passing in review. They prescribed while results to mankind—in which they had been a part—were still upon them, still plastic, still unsettled. Each of these spoke upon the special condition with which they were most familiar and gave to their country advice and counsel most fitting to guide it well and preserve it best.

Long may their sceptered spirits rule us from their sacred urns.

In hours like these when we are drunk with exuberance of unfolded possibilities, when we are maddened with designs to conquer or to slay, when in the daybreak of the twentieth century there are those who would come unto the children of men bringing the sword and not peace, may we sometimes recall that after all, beyond all, above all, there still gleams out of war clouds the white-starred text written on the walls of Heaven, shining to the souls of men, proclaiming, "Peace! peace! peace! on earth!" from this cometh good will to men! [Loud applause.]

APPENDIX.

Table showing the number of officers and enlisted men, with the ratio of apportionment between commissioned officers and enlisted men.

Year.	General and staff officers.	Line officers.	Total commissioned.	Enlisted men.	Proportion of general and staff officers to enlisted men.	Proportion of line officers to enlisted men.	Proportion of all commissioned officers to enlisted men.
1792.....	32	182	214	5,120	1 to 100	1 to 28.13	1 to 23.89
1802.....	55	152	207	3,067	1 to 55.78	1 to 20.18	1 to 14.82
1817.....	179	346	525	7,580	1 to 42.36	1 to 21.91	1 to 14.44
1820.....	190	555	745	12,011	1 to 63.22	1 to 21.64	1 to 16.12
1826.....	117	427	544	5,642	1 to 48.22	1 to 13.21	1 to 10.37
1837.....	157	491	648	7,310	1 to 46.56	1 to 14.89	1 to 11.28
1850.....	299	585	884	9,431	1 to 31.54	1 to 16.12	1 to 10.67
1853.....	329	635	964	9,284	1 to 38.22	1 to 14.63	1 to 9.63
1855.....	319	752	1,071	11,658	1 to 36.55	1 to 15.50	1 to 10.89
1860.....	348	735	1,083	11,848	1 to 34.05	1 to 16.12	1 to 10.94
1878.....	562	1,599	2,161	25,000	1 to 44.49	1 to 15.63	1 to 11.57
1898.....	535	1,629	2,164	25,000	1 to 46.73	1 to 15.35	1 to 11.55
1898*.....	578	1,878	2,456	63,106	1 to 109.18	1 to 33.60	1 to 25.69
Total..	3,700	9,066	13,666	196,057	1 to 53.29	1 to 19.67	1 to 14.35

*In time of war with Spain.

The Late Hon. Denis M. Hurley.

REMARKS
OF

HON. ISRAEL F. FISCHER,

OF NEW YORK.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions—

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York.

"Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. FISCHER said:

Mr. SPEAKER: The news which reached this House on Monday last announcing the death of the Hon. DENIS M. HURLEY, a member from the State of New York, at Hot Springs, in the State of Virginia, on the 26th day of February, was a blow felt deeply by every member, and, while it is the desire of his late colleagues that a time might be set apart for the purpose of paying fitting tribute to his memory, yet, by reason of the fact that but few hours remain for the business of this Congress, they have concluded that a few words shall go upon the record before adjournment, and I desire, therefore, for myself and in my own feeble way, to briefly record my opinion of his life, character, and worth.

DENIS M. HURLEY was born in the city of Limerick, Ireland, March 14, 1843, and came to this country when he was 7 years old. He took up his residence in the city of Brooklyn upon his arrival in June, 1850. He remained in Brooklyn until 1854, when he removed to New York City, residing there until the year 1866, when he again moved to Brooklyn, remaining in the latter city until his death.

His early struggles and subsequent successes furnish us with one more example of the possibilities that come to young men who seek our shores and apply themselves intelligently and faithfully to their needs and progress. He attended public school in the city of New York, remaining there until he was 14 years of age, when he left to secure employment in order that he might earn for himself a livelihood. His first occupation was that of apprentice to a carpenter, and he continued at that trade until the year 1868, when he left to accept an appointment as a United States weigher in the customs service at the port of New York. This position he retained until the year 1879, when he resigned to enter into private business. Several years thereafter he became identified with the Beard Dredging Company as its superintendent, and subsequently he became one of its largest stockholders.

His popularity in his district, as well as in the city of his adoption, was unbounded, and whenever he presented himself to the people for their suffrages that popularity was fully proven. In the year 1880, upon the urgent request of his political organization, he became its candidate for member of assembly in order that the ticket, headed by James A. Garfield, might be locally strengthened; and although he knew that his district was overwhelmingly Democratic, he entered the campaign with such energy that when the polls closed on that election day the judgment of his party was more than justified, for while the district gave a Democratic majority of 3,000 for all candidates except member of assembly, Mr. HURLEY was defeated by only 150 votes. This fact and his grand character, steadfastness, and ability induced his people to bring him forward in the year 1894 as their candidate for Congress in the district in which he resided.

His canvass for the latter office resulted in his election. In the year 1896 he was again the candidate of his party and was triumphantly reelected by a very comfortable majority. He was the first Republican ever elected to represent that district in Congress. At the beginning of the campaign of 1898 he expressed a desire to retire from office. He felt that his large and growing business required more of his time, and his partners insisted that they needed his ability and energy; but, notwithstanding all this, the people of his district persisted in their demands and renominated him by acclamation for a third time, and after the urgent request of his party and his friends he consented to make an effort to hold the district for them. The campaign was a severe and arduous one, and, coupled with the severe weather which that period experienced, told fatally upon his constitution.

The announcement of the result of the election found him cheerful. On a visit to my office, a few days thereafter, he spoke jokingly of the campaign through which we had just passed and added a declaration that his defeat was a grant from his constitu-

nents, relieving him from office in order that he might return to his business.

It was but a few days after this when I received the sad and startling news that he had been prostrated by a stroke of paralysis, and when I called upon him, he said, with a smile: "It's all right; I thought you and Sherman would have to pronounce my eulogy in the House, but I have relieved you of this unpleasant duty, and I am getting better."

He gradually recovered the use of his limbs, and, in fact, continued to improve so rapidly that immediately after the holidays, upon the advice of his physician, he left home for Hot Springs, in Virginia. There his improvement was most marked. In fact, he had improved so much that, on Wednesday last, he came to Washington and spent two days looking after some matters of interest to himself and constituents, and his friends in the House expressed the greatest satisfaction and pleasure at his reappearance in their midst. When he bade us good-bye we felt he would be gone but a short while and would return fully recovered. Therefore I am at a loss to say as I should, how severe a shock was the reception of the news of his death, following his visit so closely.

Mr. HURLEY'S character was one of the grandest ever possessed by any man. He was plain, straightforward, and honest, and his love for the good was so great that he could not bear the company of men who were otherwise. Indeed, he did not hesitate to say to those who were not upright and honest that he did not want their company. From my acquaintance with him, extending over eleven years, I will say that I never knew him to do a mean act. He was so constituted, both in mind and heart, that he could not commit one if he tried.

His greatest pleasure was in looking after the welfare of his family, and I have heard him say many times that he loved his children so well that he wished he had more of them. And as he put it, in his homely way, "The happiest and proudest man is he who is surrounded by a large and happy family." His love for his children was reciprocated by them. Although they had grown to years of maturity, and some married and established in their own homes, his merest wish was a law unto them, and I know they were pleased to obey.

The loss sustained by his family and by this House, and so deeply regretted by both, also fell heavily upon his constituents and friends, and his funeral, which I had the honor to attend, was the greatest outpouring of a grief-stricken and saddened community which I have ever seen. The funeral cortege was fully one-half a mile long; some in carriages and many on foot followed the procession from his late home to the church where the last sad rites were held. The vast concourse of people who came to pay their last respects was made up of all classes and of all religions and sects. The church in which the services were held was the largest in the city, but was too small to accommodate the vast assemblage that attended. No man has died in that city whose death was ever more deeply regretted than was that of Hon. DENIS M. HURLEY.

For myself, I desire to say that in the death of Mr. HURLEY I lose one of my best political and social friends. His goodness of heart, his desire to serve others, and his entire unselfishness in all things made him one of the grandest, and best of friends and citizens, and I do not violate my conscience when I say that I felt his loss almost as much as I did that of my own parents.

The grandest compliment, in conclusion, that I can pay him, is to record the opinion of all who knew him, that he was an honest man.

Army Appropriation Bill.

SPEECH
OF

HON. JOHN S. RHEA,

OF KENTUCKY.

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 24, 1899.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900—

Mr. RHEA of Kentucky said:

Mr. CHAIRMAN: It is my usual practice to confine myself to the discussion of those questions under consideration, but recalling the fact that we are in Committee of the Whole House on the state of the Union, I shall discuss the affairs of the Union.

Just at the conclusion, or nearly so, of the able address of my colleague [Mr. SETTLE] the gentleman from Ohio [Mr. GROSVENOR] asked a question, or pretended to ask a question, in order that he might make a speech to the committee. For the first time upon this floor, for the first time in the public prints, for, the first time

anywhere, the statement has been made by the gentleman from Ohio that Aguinaldo and the Filipinos did not assist the American Army against the Spaniards at Manila or in the Philippine Islands.

Mr. GROSVENOR. If the gentleman will refer to the notes, he will discover that I said, simply referring to a suggestion of the distinguished gentleman from Kentucky, that the United States never accepted the action of the Filipinos in the war against Spain.

Mr. RHEA of Kentucky. I can not yield to the gentleman from Ohio to make a speech.

Mr. GROSVENOR. But the gentleman does not want to misrepresent me, and if he will turn to the notes he will see that what I have stated is the case.

Mr. RHEA of Kentucky. No; I will not misrepresent the gentleman—I will not follow the practice of some other people.

I do not care, Mr. Chairman, whether by proclamation the President accepted the services of the Filipinos or not. We never repudiated the services rendered, and we got the full benefit. It is a well-known rule of law that acquiescence gives consent. Now, let us see what the testimony is, and I will answer the question the gentleman from Ohio put to my colleague, but which he had not time to answer. Let us see what the testimony is upon the subject. General Greene testified before the Paris Commission.

In speaking of the Filipinos and their action at Manila, he said that while they did not have an organized and disciplined army, neither their valor nor their service could be disputed or denied; that they drove the Spaniards to their last retreat, Manila, which city was assaulted on land by the Filipinos and finally surrendered to the American forces.

Again, the official report of General Greene's testimony is as follows:

The problem of how to deal with Aguinaldo's government and troops will necessarily be accompanied with embarrassment and difficulty, and will require much tact and skill in its solution. The United States Government, through its naval commander, has to some extent made use of them for a distinct military purpose, viz, to harass and annoy the Spanish troops, to wear them out in the trenches, to blockade Manila on the land side, and to do as much damage as possible to the Spanish Government prior to the arrival of our troops. And for this purpose the Admiral allowed them to take arms and munitions which he had captured at Cavite, and their ships to pass in and out of Manila Bay in their expeditions against other provinces.

This is not all. It gets stronger as he proceeds to testify. He says further:

On the 24th day of April Aguinaldo met the United States consul and others at Singapore and offered to begin a new insurrection in conjunction with the operations of the United States Navy at Manila. This was telegraphed to Admiral Dewey, and by his consent, or at his request, Aguinaldo left Singapore for Hongkong on April 28; and when the McCulloch went to Hongkong early in May to carry the news of Admiral Dewey's victory, it took Aguinaldo and 17 other revolutionary chiefs on board and brought them to Manila Bay. They soon after landed at Cavite, and the Admiral allowed them to take such guns, ammunition, and stores as he did not require for himself. With these, and some other arms which he had brought from Hongkong, Aguinaldo armed his followers, who rapidly assembled at Cavite, and in a few weeks he began moving against the Spaniards. Part of them surrendered, giving him more arms, and the others retreated to Manila.

Our consul, who had long known this man, and George Dewey, who knew him, not only received and accepted the assistance of Aguinaldo and his soldiers, but solicited their assistance and brought them to our aid on one of our ships.

Those are the facts. I hope now the gentleman from Ohio has accepted or will accept the sworn statements of our own soldiers and sailors.

Mr. GROSVENOR. Has the gentleman the testimony of General Greene before him?

Mr. RHEA of Kentucky. I have not.

Mr. GROSVENOR. Did he say the Filipinos held the city and surrendered it?

Mr. RHEA of Kentucky. No; he never said "held," for the Spanish were holding the city until the Filipinos made the assault against the city and the Spanish surrendered it to the American forces.

Mr. GROSVENOR. Is it not a fact of history that the first act of the troops who went ashore was to exclude the Filipinos from having anything to do with the city, in keeping them out to prevent the looting of the city?

Mr. RHEA of Kentucky. It is not a fact.

Mr. GROSVENOR. I state that it is a fact.

Mr. RHEA of Kentucky. I state that it is not; so there you have it. [Laughter.]

Mr. CARMACK. I want to suggest that General Greene, in his testimony, did declare—

Mr. GROSVENOR. Has the gentleman the testimony of General Greene before him?

Mr. CARMACK. No, sir; I have not; but I will have it and put it in the Record. I will state what the facts of his testimony are: That but for the service of Aguinaldo and his army it would have required a great deal of bloodshed to have taken the city of Manila; that the Filipinos had driven the Spaniards into Manila and carried their victorious army up to the very walls, and had such complete possession of the city that when they were called

upon to find a place for their prisoners they could not obtain it out of the city. There was not a place to send them.

Mr. GROSVENOR. I want to say that before the conclusion of this debate I will introduce the testimony of General Greene.

Mr. RHEA of Kentucky. Mr. Chairman, I refuse to be further interrupted.

The CHAIRMAN. The gentleman from Kentucky has the floor, and declines to yield.

Mr. RHEA of Kentucky. Mr. Chairman, it is not evidence of friendship to servilely obey and blindly follow. That is a rule that applies to Presidents as well as to individuals. I shall not in an unfriendly, I hope, or in an unkindly spirit criticize the President, but I shall review his public utterances and his public acts so far as we know them.

A war begun for humanity, for the freedom of Cuba, is to end with the subjugation of the Filipinos. In the plenitude of that mercy and the fullness of that love which we are told saved the thief on the cross President McKinley may find his way into heaven [laughter on Democratic side], but in the enlightened judgment of public opinion the impartial historian will write him down as vacillating and uncertain, weak and indecisive, and responsible for the bloodshed in the Philippines. He has come upon the floor of this House—I do not mean in person, but by his representatives—and has made extraordinary demands, asked for extraordinary powers and for extraordinary privileges. They have been granted him; first, an appropriation of \$50,000,000 put at his absolute disposal; next he comes and asks for an increase of our Army to 100,000 or more men, not daring to say for what purpose they are to be used.

Afterwards, if he be correctly reported in the organ supposed to represent the views and the will of the Administration, he threatens both branches of the American Congress to hold them or convene them in extraordinary session if they do not obey his will and wish in the matter. Never anywhere standing for or proclaiming a policy for his Administration toward the Filipinos, except to speak at one time of "beneficent assimilation," refusing to permit Congress to act, he at last sits at a banquet of the Boston Home Market Club, and with a dexterity and agility never equaled except in the circus ring he abandons the cry of "protection" and "home markets," and declares that protection is an obsolete, effete, and dead issue, not longer to be discussed; that the money question was settled in 1896, and finally winds up that he relegates the policy of the United States toward our newly acquired foreign possessions to the keeping of Congress—that it properly belongs there.

Congress has sat here throughout this whole session absolutely refusing to take any action or to declare any policy. The supposed mouthpieces of the President have refused to define their own or the Republican majority position and have declared they did not know what the President intended or wanted, but whenever the question has been put to any member of the majority on this floor we have been met by the other question, "Have you not confidence in the President?"

For one, I plainly tell you, no. [Applause on the Democratic side.] He represents nothing that I stand for. He represents nothing that entitles me to my seat upon this floor. We are at variance upon all great governmental questions. Elected President of the United States upon the declaration "Open the mills and not the mints," he now declares that the mills must be forgotten and the mints never mentioned.

Mr. GROSVENOR. The mills are all running.

Mr. RHEA of Kentucky. So are the alms soup houses. [Laughter on the Democratic side.]

Several MEMBERS (on the Republican side). Where?

Mr. RHEA of Kentucky. Oh, I will wait until the gentlemen get through. I am used to that sort of thing, and it does not disturb me in the least. Now, I ask you, gentlemen, if you confide in the President, what do you think he is going to do? [Laughter on the Democratic side.] Does he intend to uphold the honor of the United States, or does he intend to accuse and show it guilty of bad faith and falsehood? Parading as an "international bimetallic" in 1896, and elected upon a platform demanding it, he appointed a monetary commission to go abroad to secure an "international agreement."

While his commission is sitting upon the doorsteps of the Rothschild banking house in London, waiting for the doors to be opened, that they may beg the English lord to let the United States write the kind of laws best suited to the interests and welfare of its people, the President has his Secretary of the Treasury prepare and present to Congress a banking bill, with the statement that it is intended to put the United States upon a permanent gold-standard basis, and the President says he and his Secretary are agreed upon the subject, and this telegraphed abroad to make our commission the laughing stock of the world!

"Have confidence in the President?"

The war, as I said, begun for humanity's sake—God's holy war—waged in freedom's cause, with a declaration made solemn by

resolution of this body that we had no purpose of conquest, no desire for gain—

A MEMBER. Where?

Mr. RHEA of Kentucky. Why, it said in Cuba, but it is the merest subterfuge, a specious plea, false in fact and quite up to the level of the President, to say it does not apply to all the world as well as Cuba. [Applause.] The President, anticipating the fears of the American people that a war begun for liberty might degenerate into a war of conquest, said: "I do not speak of forcible annexation; that can not be thought of. That, according to our code of morality, would be criminal aggression." Contrast this statement with another from the President: "Who will dare pull down the flag?"

Another question, Mr. Chairman, has been frequently asked upon this floor, "What would you do with the Philippines? Have we not a duty to perform, a mission to fulfill in regard to them?" I answer yes, we have both a duty and a mission. Our duty, in my judgment, is to restore order, maintain peace, preserve the rights of life, liberty, and property, see to it that an independent government by the choosing of the people of those islands is erected, its machinery put in operation, and when that is done "haul down the flag" [applause], take "Old Glory" from the dome of Manila's capitol, nail it to the masthead of Dewey's battle ship, and turn the nose of that good vessel to the West, while the band fills the air with the glorious strains of

The Star-Spangled Banner, oh, long may it wave
O'er the land of the free and the home of the brave!

[Applause.]

When you have done that, you have done your duty; your mission is accomplished. Short of that, we can not avoid the just censure of all right-thinking people upon the face of the earth, because it matters not, Mr. Chairman, if our first declaration did technically apply only to the island of Cuba, these other islands—the Philippines, Porto Rico, etc.—are mere incidents in the struggle with Spain. We can not, standing upon the declaration made by the American Congress, now go abroad 10,000 miles over the sea and hold, against the will of those people, those islands, and say that we have dealt in good faith with either Spain or the balance of the world, or subverted our consciences.

You have heard a great deal, Mr. Chairman, about the Cuban insurgents. First they were brave enough, they were patriotic enough, they were grand and noble enough to elicit the sympathy of the greatest nation on earth and to call forth a declaration of war by this House, putting at the service of the President the Army and Navy of the United States, to set sail for that fair isle and achieve a freedom for which its people had long been fighting.

But no sooner had this been accomplished, than a subservient press, representing the President's policy, or all that was known of it, commenced to declare to the American people and to all the world that those insurgents were mere rioters, irresponsible bandits, knowing nothing and caring nothing about free government, and that the strong arm of the United States must be put upon the Cubans, as we are now told it must be put upon the Filipinos. Gomez was denounced both on this floor and in the public prints. He was refused recognition when we established ourselves with a military protectorate at Havana—he and his soldiers. But at last, when somehow he succumbed to certain influences and capitulated to the military satrapy which was put up there, he is changed again.

I see by the Washington Post, which has ever defended the President and his Administration, that all at once Gomez is a patriot and is to be received with military honors at Havana; a troop of United States soldiers is to be sent out to meet him upon the highway and escort him into the city, and he is to sit in the synagogue. [Laughter.] All of these things have met the fullest approbation of the President. He has first blown hot, then blown cold, yet we are seriously admonished to "have confidence in the President."

I now call attention to the following editorial of the Washington Post:

ADMIRAL SCHLEY RESPONDS.

It will occur to most intelligent and fair-minded people in this country that Admiral Schley's answer to the injurious attack made upon him by the Navy Department is signally complete and satisfactory. Admiral Schley shows that he obeyed orders implicitly from beginning to end, and that he did what was required and expected of him at every point. It was under instructions that he remained off Cienfuegos as long as he did, and in proof of this Admiral Schley furnishes Congress with a copy of a dispatch from Admiral Sampson which has hitherto been carefully secluded from the public gaze. The dispatch in question runs as follows:

"Hold your fleet off Cienfuegos. If the Spanish ships have put into Santiago they must come either to Havana or Cienfuegos to deliver the munitions of war which they are said to bring for use in Cuba. I am, therefore, of the opinion that the best chance to capture these ships will be to hold the two points, Cienfuegos and Havana, with all the force we can muster. If, later, it should develop that these vessels are at Santiago we can then assemble off that port the ships best suited for the purpose and completely blockade it. Until we then receive more positive information we shall continue to hold Havana and Cienfuegos."

Admiral Schley received this on the 23d of May. When the orders came to move eastward toward Santiago, Schley was hampered and delayed in many

ways. One of his vessels was crippled, and he could not abandon it. Besides that he had been ordered to proceed "cautiously." Nobody knew where the Cervera fleet was. Everybody—Sampson especially—was afraid of it. There seemed no more reason to suppose it was at Santiago than at Cienfuegos. In fact, the whole chase was at haphazard, and only accident gave the news to one sooner than to another. Sampson heard it first. He was remote from Santiago, in hourly communication with the Navy Department, and thus it happened that he, at the end of a telegraph wire, became acquainted, through no merit of his own, with a fact which Schley, who was diligently at work, had not been able to ascertain. The Sampson clique have made much of this, but sensible and dispassionate men will hardly be impressed.

As for the delays and hesitations off Santiago, caused by the difficulties of coaling in those usually troubled waters, they would be absolutely without significance were it not that the Navy Department wished to make a point against Schley. If any favorite of the mutual admiration society had been in Schley's place, the matter would have been treated by the peremptory and unwarranted promotion of Sampson over his head, it seemed necessary to disparage and degrade him in order to excuse and justify an otherwise unjust and inexcusable act. No man can commit a more heinous crime in the eyes of his superiors than the act of illustrating their tyranny and inequity. Schley had been outrageously treated. It was necessary to belittle him in order to palliate the wrong. The Navy Department has done its work with energy.

Meantime, the history of the naval action off Santiago speaks for itself. On the morning of the 3d of July Admiral Sampson left the fleet to go to Siboney for purposes of conference with General Shafter. Notwithstanding the claims of almost inspired wisdom and judgment set up in his behalf, he took from the blockading fleet one of the two vessels which, according to the general belief, were capable of overtaking the Spanish ships. He could have gone to Siboney in a steam launch or in one of the smaller and less important boats. He preferred his own comfort, however, to the integrity and efficiency of the fleet, so he withdrew the flagship *New York* and sailed away.

By his own signals Schley was left in command, and by the unquestionable testimony of events Sampson did not reappear upon the scene until the battle had been won. Despite the declarations of Sampson and his claqueurs the *Brooklyn*, Schley's flagship, is shown to have been in the thickest of the fight. She was struck by Spanish shells oftener than any two of the other vessels; the only death from wounds occurred on board of her, and she was first in the chase of the *Colon* when that vessel struck her flag and ran ashore.

"Confidence in the President!" We have scandals in the Army; we have scandals in the Navy; those highest in authority in either branch of the service are at each other's throats. You see the Secretary of the Navy attempting to publicly humiliate Schley, the hero of Santiago—attempting in a public document to humiliate him before the people of the United States—that grand man, holding himself in reserve until the hour should come when some official statement should be made, at last prints that which the Administration has withheld from Congress and the people.

The Navy Department gave out a statement showing that Schley disobeyed orders, was of faulty judgment, and untrustworthy. All that he did was in perfect obedience to the commands of his superior officer, except that which was left to his own discretion, as shown by the dispatches Sampson sent Schley, and which the Secretary of the Navy withheld. And yet we are asked to trust the President! We see him sitting, sphinx-like, at the other end of the avenue, not having the courage to declare that an injustice has been done Schley. Trust the President! What has he got in the War Department?

A MEMBER. Beef. [Laughter.]

Mr. RHEA of Kentucky. Yes; you have beef—embalmed beef. You have your Egan court-martial, with the punishment fixed at no work and full pay for General Egan. This man is the pet of the President or the War Secretary. General Miles is not, and rumor says that he is to be reduced in the ranks, or some other humiliation put upon him. Gen. Joe Breckinridge has met the displeasure of "the greatest President since Washington," and he, too, must succumb. The whole business is foul, and reeking scandals, like slime, are smeared all over the War and Navy Departments.

Public opinion, the public press, decency, the honor and welfare of the United States, have all demanded the resignation or dismissal of one or both of these Secretaries, yet they remain fastened about the neck of the President by the interests that brought about his election. Facts have been suppressed by the President or his Cabinet officers, truths have been withheld from Congress, from the people; they are being withheld now. Who knows what is going on in the Philippines? A press censorship is set up, and only to keep the American people from knowing the truth. How many thousands of American soldiers have been killed or died of disease? Who knows, and who can tell? None ever will know except the weeping mothers, wives, or sweethearts whose sons, husbands, and lovers will never return.

Meanwhile this psalm-singing Administration goes on with the work of "beneficent assimilation," and thousands of men whose only crime has been a thirst for liberty have been slain by the President's policy. But praise God and on with the slaughter! It is "destiny," and the President is God's humble agent to work it out. So say the defenders of the Executive and bid us "have confidence in the President!"

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. At the earnest request of the gentleman from New York [Mr. MAHANY], a member of the Committee on Military Affairs, I yield two minutes more to the gentleman from Kentucky.

Mr. RHEA of Kentucky. Nor is this all, Mr. Chairman. The President has usurped power and authority not vested in him by

the Constitution or the law. On the 28th day of December, 1898, the President issued an order fixing the value of Cuban coins, thus usurping a function which belongs to Congress only. To "coin money, fix its value, and regulate the value of foreign coins" is lodged by the Constitution in Congress, yet this man arrogates to himself the right and exercises the power to regulate the value of foreign coins.

"Have confidence in the President!" He has by his acts declared war against the Philippine Islands or their people, and is to-day waging that war. Yet the Constitution says Congress alone "shall have power to declare war." "Have confidence in the President!" He has forfeited the confidence of the American people. In the language of another distinguished Ohioan, "God reigns and the Republican party still lives!" But the American people will not "trust the President." If he is again elected, a sufficient number of them must be paid in cold cash, as they were in 1896, to bring about the result. [Applause.]

Eulogy on the Late John Simpkins.

REMARKS

OF

HON. ROBERT ADAMS, JR.,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 28, 1899.

The House having under consideration the following resolutions:

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. ADAMS said:

Mr. SPEAKER: Since I delivered the eulogy on my predecessor six years ago I have not participated in these days set apart by the House from time to time "in memoriam" of deceased members. I join in the opinion of many of my colleagues that the best eulogy that a man can have is the record he has made as a member of this House. But there are always exceptions, and when the strong tie of friendship is added to the admiration of the character and course of conduct of a colleague, the bond is so strong that I can not refrain from laying my tribute on the bier of the one whose death we mourn to-day.

Mr. Speaker, every two years 356 citizens of our Republic are elected by their various districts to represent them in this House of our National Legislature. We meet here mostly strangers to one another. Some come with reputations already established in their respective States, having served in the various legislatures. Some enter this body with the reputation of experienced legislators, others as eloquent orators, others as recognized parliamentarians. All these, upon entering this larger body, soon find their respective levels.

The one with the legislative reputation finds that enacting laws for 70,000,000 people, with the varied interests of the whole country, is a far different matter from that of the local legislatures. The orator, having delivered his famous speech, feels that he has established his reputation, and retires to rest on his laurels, whatever they may be. The parliamentarian, after a few tilts with the Speaker, comes to the conclusion that the methods of procedure of the House of Representatives differ from his own legislature, and that he had better trust the Speaker to conduct the proceedings of the House according to the rules that he knows so well.

There is another class of members who come unheralded, modestly take their seats and receive their committee assignments, and enter with a promptness and earnestness of purpose upon the duties which the membership in this House entails. Gradually mastering the details of the legislation intrusted to their committees, gradually learning the methods of procedure of this House of Representatives, when the matters committed to their charge come up before the House they show themselves fully equipped and thoroughly competent to give the necessary information to the House and to conduct their bills to a successful passage.

It is with this latter class that I would place JOHN SIMPKINS. A more painstaking, careful, and conscientious legislator this House did not possess. He spoke rarely, but I think everyone who was present when he reported and had charge upon the floor of the bill abolishing compulsory pilotage, in which so many of his constituents on Cape Cod were interested, were thoroughly impressed with the full knowledge that he had of the subject and the admirable way in which he handled the bill and sustained the

interests of the hardy fishermen and sailors who inhabited his district and the rest of the maritime coast. The House lost a valuable member and the Thirteenth district of Massachusetts an able Representative in the death of JOHN SIMPKINS.

Mr. Speaker, as the wealth of our country increases, so, also, does its leisure class, the inheritors of that wealth. The temptations to lead an idle life and one of pleasure are great in our country. But few of this class recognize the obligation that wealth and education entail upon them to do some service to the country. It is the custom among some of this class to imitate the habits and pleasures of the English aristocracy, but they fail to imitate them in one characteristic—that of devoting some of their energy, education, and talents to the public service.

Mr. Speaker, if there is one danger more than another that threatens the future of our Republic it is the indifference shown to public affairs by the wealthy and educated classes. To these I would hold up the example of JOHN SIMPKINS as a bright exception. Endowed with a college education, with sufficient wealth at his command, he gave a large portion of his life, which has been so untimely cut off, to the public service.

Appreciated by his neighbors, he was elected to the legislature of Massachusetts, where his course of action and strict attention to his duties so won their approbation that he was promoted to a sphere of higher usefulness in the National Congress. I have already adverted to his course in this body and, with his colleagues, regret beyond expression that so useful a career was cut short by his untimely death. Our country needs more men like JOHN SIMPKINS, conscientious in their duty to their States as well as in their private affairs.

Mr. Speaker, I now come to a harder task: to portray the personal character of JOHN SIMPKINS with his many good qualities is not an easy matter. But few men in this House have won as many personal friends as JOHN SIMPKINS. There was something about his nature that attracted men. Kind in disposition, hospitable, generous to a fault, his great pleasure seemed to be to give pleasure to others.

Those who had the privilege of entering his hospitable home were touched by his devotion to his orphan sisters. To know him was to love him. Never will those who were present at his last obsequies forget the sorrowing faces and the tearful eyes of those who gathered to bear testimony to their love and affection and the great loss that they had sustained. Such a man as JOHN SIMPKINS his friends can never forget, his district never replace, or his country repair its loss.

Naval Appropriation Bill.

SPEECH

OF

HON. CHARLES N. BRUMM,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 17, 1899.

The House being in Committee of the Whole on the state of the Union for the purpose of considering the naval appropriation bill, Mr. Brumm offered the following amendment:

On page 9, line 8, after the word "dollars," insert the following paragraph: "Smokeless coal: The necessary expenses incident to experiments to test the qualities of smokeless coal for use on all vessels of the Navy, \$30,000."

Mr. BRUMM said:

Mr. CHAIRMAN: The preceding paragraph of this bill appropriates \$35,000 to continue experiments of smokeless powder.

Sir, if smokeless powder is necessary in the Navy, smokeless coal is just as necessary, and when you reflect that smokeless coal is also free from spontaneous combustion and has many other superior qualities, it will be a greater improvement in our naval system than smokeless powder. All the benefits derived from smokeless powder are equally applicable to smokeless coal. Smokeless powder is a benefit only when in action. Smokeless coal is just as great a benefit in action, and is also a great benefit either in hiding from the enemy or in hunting the enemy, and in fact in all maneuvering of all vessels involved on both sides.

I remember from practical experience during the civil war that the North used anthracite or smokeless coal exclusively, while the blockade runners used bituminous or smoky coal. I was on board the transport *Arago*, which used anthracite coal when she chased a blockade runner, and we pursued her some twenty knots before the blockade runner saw us, we having seen her smoke long before her hull was visible. In fact, it was asserted that if we had not had smokeless coal we would have been unable to maintain the blockade, which would have resulted in foreign nations interfering by reason of the failure of the blockade, and made it perhaps impossible for us ever to have put down the rebellion.

This disadvantage of maneuvering with smoky coal was demonstrated at Manila when Dewey entered the harbor. The first sight the Spaniards had of his ships was the spurting of sparks that are incident to the use of bituminous or smoky coal, thus making its use as objectionable at night as at day.

Also at Santiago, the movements of the Spanish fleet under Admiral Cervera was known by every vessel of our squadron by the smoke which curled up over the hills that hid the Spanish vessels, thus enabling our vessels the better to prevent their escape, as shown by letter received from Admiral Schley, as follows:

THE EVERETT, Washington, D. C., January 9, 1898.

MY DEAR SIR: I do not remember ever making the statement that the first notice we had of the Spanish fleet attempting to leave the harbor was due to the smoke in raising steam. What I did say was that the movement of that fleet was discovered simultaneously by every ship in front of Santiago that morning, and from the Brooklyn the smoke from their funnels was seen to move along the land before the vessels were seen emerging from the port. My recollection is that I spoke of this fact as evidencing the high state of discipline of the American fleet and its unceasing vigilance. Several times during the blockade smoke was seen in the harbor indicating movements of vessels, and on all such occasions the incident was observed by all and reported.

Respectfully, yours,

W. S. SCHLEY.

Hon. CHAS. N. BRUMM,

House of Representatives, Washington, D. C.

As we have the only coal in the world that is entirely smokeless, what a great advantage this would give us over all the navies of the world, enabling us to have a clear view in action and in all maneuvers, while the enemy would be obstructed in view and exposed in maneuvers and action. In that sense it would be of much more importance to us than smokeless powder,

as that only puts us on an equality with the enemy, while in action.

Moreover, smokeless coal is absolutely safe in transportation, as it will not ignite spontaneously, while bituminous coal is more dangerous in that respect than any other element to be contended with in naval vessels, and against which danger they have been as yet unable to provide any remedy, which the following report from the Navy Department and extracts from newspapers fully prove:

COMMITTEE ON CLAIMS, HOUSE OF REPRESENTATIVES, U. S.

Washington, D. C., November 16, 1898.

DEAR SIR: Will you be kind enough to have the proper officer of your Department make out and send to me a list of all vessels in the Navy that have caught fire by spontaneous combustion in their coal bunkers during the last year, including supply ships, dispatch boats, etc., whether owned by the Government or chartered, with the date of the combustion, the extent of injury done, and the time taken to extinguish the same, and any other record that the Department may possess on the subject.

I have the honor to be, yours respectfully,

CHAS. N. BRUMM, M. C.,
Thirteenth District of Pennsylvania.

Hon. JOHN D. LONG,
Secretary of the Navy.

NAVY DEPARTMENT, Washington, November 30, 1898.

SIR: I have the honor to acknowledge the receipt of your letter of the 16th instant requesting to be furnished with a list of vessels in the Navy that have caught fire by spontaneous combustion in their coal bunkers during the last year, and in reply herewith enclose a statement, prepared in the Bureau of Equipment of this Department, of all the cases that have been reported on during the past year.

Very respectfully,

JOHN D. LONG,
Secretary.

Hon. CHARLES N. BRUMM, M. C., Minersville, Pa.

Name of ship.	Date of fire.	Time to extinguish fire.	Damage.
Alexander (collier)	September 25, 5.30 a. m.; hold No. 2. September 25, 1 p. m.; hold No. 5. October 11; hold No. 1.	From 5.30 a. m., September 25 to 4 a. m., October 2. From 1 p. m., September 25 to October 3. From October 11 to October 15.	(1) Fore and after portable wooden bulkhead, or shifting boards are burned or broken out. (2) The wooden flooring over the bilges and inner bottom are in places burned out. (3) The sparring on the ship's sides is in places burned out, the greatest damage having been done in No. 2 hold, where it was burned out for a distance of 20 feet. (4) The wooden deck in forward crew space, over hold No. 1, is slightly damaged. (5) Two of the plates of the forward collision bulkhead in No. 1 hold found slightly buckled, some of the rivets loose and some sheared. (6) In No. 2 hold a few rivets are sheared in a bracket plate connecting a web frame to a side stringer. (7) In No. 2 hold one lead drainpipe leading to the bilge is melted out. Cause: Oil and water leaking into holds. Coal was removed from this bunker and heated coal was found, but not on fire. Work was necessarily slow, but by 3.30 p. m. all heated coal had been removed and bunker was cool. Cause not known.
Hannibal (collier)	6.30 a. m., July 26. Gas discovered coming out of ventilators connecting with athwartships coal bunker.	Not stated	
Do	7.30 p. m., August 16	2½ hours	Location: Starboard forward bunker. Damage: The 3-inch wooden skin on starboard forward bilge and on top of ballast tank was burned through for a distance of 7 feet fore and aft and 7 feet athwartships. Cause not known.
Minneapolis (cruiser) ..	11.55 p. m. September 2	Not stated	Location: Bunker B134, above the protective deck, abreast the port blower room, and abaft main boiler D, which was in use. Fire confined to the coal and soon extinguished; no damage to ship. Cause not known.
Oregon (battle ship) ...	About noon March 27	Not stated	Location: No. 7 starboard coal bunker alongside main boiler C. No damage done. Cause, close proximity of bunker to boiler (3 inches). Slight; no damage. Cause, close proximity of bunker to boiler (3 inches).
Do	August 26	Not stated	Location: Bunker B7, the lower bunker alongside of after boiler. Discoloration of paint on under side of protective deck and on fire-room bulkhead. Cause not known.
Philadelphia (cruiser) ..	September 21	Bunker was flooded and coal removed. Time required, from 1 to 10 p. m.	Location: Bunker No. 4, an athwartship bunker between fire and engine rooms. Damage, none. Cause, high temperature of bunker, which has no means of ventilation.
St. Paul (auxiliary cruiser, chartered).	May 16	From 7 to 11 a. m.	Location: Port, after, lower bunker. Bunker flooded and coal removed. No damage done. Cause, high temperature of bunker.
Topeka (cruiser)	August 21	Not stated	Location: Starboard, after, lower bunker. Bunker flooded and coal removed. No damage. Cause, high temperature of bunker.
Do	September 10	Not stated	Location: Starboard upper bunker. Bunker flooded and fire quickly extinguished. No damage beyond charring a few feet of a lining on the inboard side of the bunker.
Yankee (auxiliary cruiser).	Morning of June 16	Not stated	Location: Port upper bunker. Fire easily extinguished. Damage practically same as that by fire of the 16th. Cause, high temperature of bunkers.
Do	Afternoon of June 19	Not stated	Location: Fore hold. Burned a hole about 2 feet square in the wooden flooring of hold. Cause, coal had been in hold 4 months, taken aboard slightly wet.
Do	September 6	Not stated	Location: Starboard upper bunker, above the after uptakes and smoke connections of the boilers; charring of wood floor to bunker.
Yosemite (auxiliary cruiser).	11.30 a. m. June 30	6 hours	Location: Port upper bunker above after uptakes; damage similar to that of fire of June 30.
Do	July 1	Not stated	Location: Starboard upper bunker, at after corner of fire-room hatch, nearly abreast the chimney. The fire was not in the body of the coal but near the foot of slope, where the coal had been shoveled down into the lower bunker. Fire easily extinguished and did no damage aside from charring plank floor of bunker on the surface.
Do	7 a. m. October 9	Not stated	Cause of these fires, high temperature of the bunkers.

[From Philadelphia Public Ledger, August 12, 1898.]

FIRE IN THE COAL BUNKERS—NINE HOURS' FIGHT WITH FLAMES ON THE CRUISER MINNEAPOLIS.

NEWPORT NEWS, VA., August 11.

The mail orderly coming ashore from the cruiser *Minneapolis* this morning reported that fire was discovered last night in one of the 90-ton coal bunkers amidships. The bunker was full of coal and the fire had gained considerable headway when detected. The men worked at the bunker just as they would behind the guns in action, but they did not succeed in extinguishing the flames short of nine hours later.

The bunker, being of steel, was almost red-hot, and the men could only

work two at a time on 5-minute shifts, notwithstanding the fact that electric fans were used to throw fresh air. The bunker was flooded with water and the coal raised to the deck in sacks. There it was saturated and permitted to cool, when it was shoveled back into the bunker. Not a particle of damage was done to the ship. It is stated now that the *Minneapolis* will go to Key West in a day or so, from there to proceed to join Admiral Sampson.

[From the Miners' Journal (Pottsville, Pa.), September 3, 1898.]

FIRE ON A TRANSPORT.

NEW YORK, September 2.

The transport *Catania*, which arrived to-day from Montauk, landed a number of sick soldiers from Santiago. During the voyage from Santiago

the engineers found the coal in the after hold on fire. The hatches were closed. The fire was kept under control until the steamer reached Montauk. The chief engineer reported the coal again on fire. The transport was ordered to proceed to this port to unload the burning coal. She has on board 300 cases of cartridges, which will be discharged immediately.

[From *Miners' Journal*, Pottsville, Pa., October 1, 1898.]

ARGUMENT FOR HARD COAL.

The U. S. transport *Massachusetts* had a narrow escape from total destruction by the igniting of her cargo of soft coal, which would be another argument in favor of hard coal in United States Government ships. This is what the Associated Press says about it:

"The U. S. transport *Massachusetts*, Captain Robinson, which sailed from Santiago September 23, arrived to day and proceeded to an anchorage off Liberty Island. On board the transport were Capt. J. C. Read, commissary and quartermaster, and two clerks; Captain McCoy, Second United States Volunteer (Immune); Lieutenant Culwell, of General Lacroix's staff (Cuban army), and eighteen stovedores and laborers.

"While at Santiago the coal in the *Massachusetts's* bunkers took fire and it was found necessary to jettison 100 tons. A portion of this coal was taken on board again. On going to sea the fire again broke out in the fire bunkers and smoldered for three days. It was finally extinguished by the use of steam, and the steamer reached port without further incident."

The following extract from the *New York Sun* of February 26, 1899, also shows that in case of wet weather, or at coaling stations where coal is not kept dry, vessels must wait until the coal is dry before they can fill their bunkers with any degree of safety. This would not be the case with anthracite coal.

COAL FOR THE NAVY AT PORTO RICO.

NORFOLK, VA., February 25.

The schooner *Edith L. Allen*, Captain Darrah, cleared from this port to-night for San Juan, Porto Rico. Her cargo of 1,500 tons of Pocahontas coal is for the use of our warships there. The *Allen* arrived here from New Bedford on February 7, and has been waiting here for the coal to dry. Wet coal is not permitted aboard warships, as spontaneous combustion is likely to occur in damp coal in the bunkers. The long-continued storm of snow and rain has kept the coal on the piers wet. Repeated efforts have been made by the Department to expedite the departure of the schooner.

[From *New York World* of October 5, 1898.]

TRANSPORT *ODDAM* ON FIRE—PUTS BACK TO SANTIAGO WITH A BLAZE IN HER BUNKERS—SICK SOLDIERS IN DANGER.

SANTIAGO DE CUBA, October 4.

The U. S. transport *Oddam*, which left here on Sunday, has returned with her bunkers on fire.

The fire was discovered yesterday at 10 o'clock in the morning near the main hold, which was at once flooded with 50 tons of water, and a gang of men was put to work removing the ammunition, of which the ship carried a large supply.

All the officers and soldiers who were well enough to do so worked hard to extinguish the flames. Every means available is now being employed to extinguish the fire and it is hoped the *Oddam* will be able to leave here again in three days' time.

Surgeon-Major Seaman reports all well on board.

The *Oddam* was stopped from sailing from Santiago by General Wood on account of her unsanitary condition. He had her thoroughly overhauled. Recently her captain was removed because of a row with the Army quartermaster on board. Altogether the *Oddam* has not had good luck.

If anthracite coal had been used on the battle ship *Maine*, there would have been no such thought as expressed in the following article in the *Tamaqua, Pa., Courier* of September 10, 1898, ever entertained.

MAINE BLEW HERSELF UP.

Did not Spain blow up the *Maine*? And was not that what precipitated the war? Now it is claimed that in spite of the investigation the *Maine* blew herself up. At least that is the conclusion of a well-known writer, Goldwin Smith, in the *Toronto Sun*. It is passing strange we did not find this out earlier. And yet it is what might be expected of soft coal. Here is Mr. Smith's observation:

"The evidence in the case of the *Maine* has now been impartially examined by a first-rate expert, Lieut. Col. J. T. Bucknill, of the Royal Engineers, who was a member and the secretary of the joint war office and admiralty committee, which carried out the experiments against the double bottom H. M. S. *Oberon* during 1874 to 1876. Colonel Bucknill comes to the conclusion that the explosion was due to coal heating in a bunker containing 40 tons of soft Pocahontas coal. It therefore seems that the Americans should dismiss from their minds the idea that the *Maine* was blown up by the Spanish authorities, or with their cognizance, all the evidence pointing entirely in the other direction, viz, that the disaster was purely accidental and that the explosion was confined to the interior of the ship."

The danger of spontaneous combustion is not only in completely blowing up the vessel, but it so heats the bulkheads that it warps and weakens the entire vessel.

There is more energy in a cubic foot of anthracite than there is in bituminous coal; hence you can pack more in the same area and can run vessels longer on the same bulk of anthracite than you can with bituminous coal.

Anthracite coal does not break up or slacken or deteriorate by age, while bituminous begins to deteriorate from the time that it is mined, so that the best of it loses about 50 per cent of its utility in the space of a year.

Anthracite is cleaner, easier handled, and easier stored than bituminous. With anthracite every inch of space can be utilized, as it will require no bulkheads between the bunkers and the ammunition and the bunkers and the boilers. Instead of being an injury to any part of the vessel, it would rather be a protection.

The best and freshest bituminous coal will not produce more steam than the best of anthracite to the cubic foot of coal used, while the average anthracite coal of proper size will produce more than 50 per cent better results than the average bituminous

that can be obtained at the various coaling stations, if the proper grates and fire boxes are used.

The objections to anthracite coal are all set forth in the following report:

BOARD OF INVESTIGATION OF THE SPONTANEOUS IGNITION OF COAL, Navy-Yard, Washington, D. C., January 27, 1899.

SIR: 1. In obedience to your order, dated December 9, 1897, and the enclosed instructions, we have investigated the subject of the spontaneous ignition of coal and its prevention; primarily, with the view of ascertaining the causes of fires in coal bunkers of ships and in coal piles on shore, and respectfully submit the following report:

2. We have considered the details of these instructions, especially those of the Assistant Secretary of the Navy, as an outline of suggestions rather than as a specific order to examine exhaustively every item mentioned therein, both on account of verbal supplementary instructions and because we found that to procure reliable information with respect to some of them would necessitate making experiments involving an expenditure of time and money which we were informed were not contemplated. We have, however, endeavored to investigate every item mentioned and, in general, to carry out the investigation of the subject as thoroughly as possible.

3. To this end we have examined all the literature on the subject of spontaneous ignition which a careful search disclosed (a list of those authorities being appended, marked B), and made application to professional men who were likely to have investigated it to secure their cooperation, either by reference to reports or by a contribution of their own experience. The various bureaus and the office of Naval Intelligence were consulted and letters were addressed to the commander in chief of the North Atlantic Station, the naval attachés, numerous coal operators, agents of steamship lines, consulting engineers, chemists, engineers of gas works, and other works handling large quantities of coal, notifying them of the objects of the board and requesting their assistance.

We have also carefully investigated every case of spontaneous ignition in the bunkers of our naval vessels and in coal piles at the navy-yard of which reports could be obtained, and have consulted many officers of the service.

It may be remarked in the beginning that the consideration of the subject of spontaneous ignition is confined to bituminous or "soft" coal, inasmuch as we have not learned of a case of a fire due to this cause in anthracite coal on shipboard, and all the printed discussions of the subject refer to bituminous coal.

FIRES IN COAL BUNKERS.

1. The report of the royal commissioners of Great Britain on fires in coal cargoes, published in 1876, and the paper of Prof. Vivian B. Lewes, of the Royal Naval College, Greenwich, published in 1891, are most important contributions to the literature on this subject.

These reports are in practical accord on the important points, and in our opinion, as a result of careful study, give the true explanation of spontaneous ignition of coal. The paper of Professor Lewes was reprinted by the Bureau of Equipment in 1897, in the back of "Report on the efficiency of various coals used by U. S. ships, 1895-96," and a copy is to be found on all ships in commission and at all navy-yards.

2. According to Professor Abel, Dr. Percy, and Professor Lewes, the causes of spontaneous ignition of coal are:

3. First (and chiefly). The condensation and absorption of oxygen from the air by the coal, which of itself causes heating, and this promotes the chemical combination of the volatile hydrocarbons in the coal and some of the carbon itself with the condensed oxygen. This process may be described as self-stimulating, so that, with conditions favorable, sufficient heat may be generated to cause the ignition of portions of the coal.

The favorable conditions are: A moderately high external temperature; a broken condition of the coal, affording the fresh surfaces for absorbing oxygen; a supply of air sufficient for the purpose, but not in the nature of a strong current adequate to remove the heat; a considerable percentage of volatile combustible matter, or an extremely divided condition.

4. Second. Moisture acting upon sulphur in the form of iron pyrites.

5. The heating effect of this second cause is very small, and it acts rather by breaking the coal and presenting fresh surfaces for the absorption of oxygen.

6. While the condensation and absorption of oxygen are always going on to a limited extent, the general immunity of our bunker coal from spontaneous ignition shows that there must be some exciting cause sufficient to stimulate the action to greater rapidity when fires do occur, and this we believe to be due chiefly to external heat. The analysis of the bunker fires on our own naval vessels indicate this very strongly.

7. In former days, when ships were under steam only part of the time, when steam pressures were lower, when there were no protective decks and bunkers over the boilers, and there was ample circulation of air around the boilers, cases of spontaneous ignition were almost unknown in bunkers; but modern war vessels have all these conditions changed, and for some bunkers there is sure to be, when adjacent boilers are in use, a sufficiently high external temperature to cause the spontaneous ignition of any coal at all liable to that phenomenon.

8. It should not be inferred, however, that spontaneous ignition is a frequent occurrence, even under the more favorable modern conditions. The total number of fires due to this cause in the last three and one-half years, counting the fire in each bunker as a separate fire, is only 20 on 10 ships, and when we reflect that during that time there have been at least 40 ships in commission, averaging probably 40 bunkers each, which have probably cooled an average of 20 times, the percentage of bunker fires is seen to be very low.

9. While it is desirable, if possible, to eliminate bunker fires altogether, yet if the precautions necessary to this end require great expense or are undesirable for other good reasons, we must adopt such reasonable expedients as commend themselves to practical considerations and to the need of each particular case.

10. In a modern war vessel great coal-carrying capacity is one of the first considerations, and ready access to the coal from the fire rooms is almost as important. Both compel the construction of the coal bunkers in close proximity to the boilers. Moreover, the structure of such a vessel from necessity prevents any general circulation of air sufficient to prevent a considerable elevation of temperature near the bunkers. We have data of cases where such temperatures have attained 200° F. Professor Lewes recommends provision for a water wall between the bunkers and boilers or uptakes in such cases, but there are several practical objections to such a plan which we consider conclusive. A double bulkhead with air circulation involves practical objections which will be obvious on consideration, so that in our judgment, except as stated in the next paragraph, we do not recommend any structural changes.

11. There are some bunkers in which a fire would involve great danger, namely, those adjacent to magazines, while in others the loss of the coal would be a serious matter if the ship had a small bunker capacity and was making a long passage, and in time of action such a fire calling for extra work on the part of the engineer's forces would be a serious matter. On the *New York* and on the *Cincinnati* there were fires in bunkers next to the magazines

which caused the charring of woodwork in the latter, and if they had not fortunately been discovered in time there might have been in each case a terrible disaster. For such cases we do consider structural provision an absolute necessity, and that no magazine should ever be separated from a coal bunker by a single bulkhead only.

There should always be a double bulkhead with at least four inches between the walls of the bunkers and magazines and with provision for a good circulation of air to carry off any heat that may come from the bunker. In order to avail ourselves of expert opinion on the structural question, we requested the views of the chief constructor of the Navy, and find from his reply that he had anticipated this important point, and provision is made in the new battleships on practically the plan which we recommend, while the Board on Construction had recommended the fitting of an additional bulkhead in the bunkers of the New York, adjacent to the magazines, with provision for air circulation. The precautions considered necessary to prevent fires and to discover and extinguish them in bunkers not adjacent to the magazines are presented further on.

With regard to fires in bunkers we submit the following recommendations:

1. No magazine should be separated from a coal bunker by a single bulkhead only, but in all cases there should be a double bulkhead with efficient air circulation, artificial if necessary.

2. The temperature of spaces near bunkers, where it is likely to be high, should be observed, and where it will be sufficiently great to be likely to cause spontaneous ignition these bunkers should be kept normally empty if the total coal capacity is sufficiently great. If they must be kept filled, a coal should be chosen which is least likely to give trouble.

On our Eastern coal anthracite coal fulfills this condition completely, as diligent inquiry has not developed a single instance of spontaneous ignition of anthracite in such sizes as come on board ship. In Europe and many foreign ports this condition would be met by briquettes or "patent" fuel. This is composed of bituminous slack bound together by tar, pitch, or flour paste, and from its nature and method of manufacture has not the conditions for absorbing oxygen. Where neither of these is attainable, a semibituminous coal with a low percentage of volatile combustible matter should be chosen and stowed in large lumps only.

With respect to the temperature likely to cause ignition, Professor Lewes states: "If the bunker coal next the bulkhead be kept at 120° F., any coal with a tendency to absorb oxygen will run a great chance of igniting within a few days." He assumes that this is probable temperature if that outside the bulkhead is 200° F. This is a point that can only be settled by experience, as the data available to us do not warrant a definite limit being assigned. Where bunkers are exposed to such great heat they should be examined, if practicable, at regular intervals, to ascertain if the temperature rises or if vapor or smoke is emitted.

3. There should be as much space as practicable between the bunkers and boilers or uptakes. This is a question of design and no hard and fast rule can be laid down. We would recommend, however, a minimum space of 10 inches from the shells of cylindrical boilers, and at least 18 inches from uptakes and the casings of water-tube boilers where the latter really serve as uptakes; and, if practicable, there should be air circulation.

4. Lump coal of large size and as free from small coal and slack as possible is to be preferred. In the ordinary purchase of coal some slack is inevitable, but where there is room for choice, other things being equal, large lumps should be chosen. If practicable to get it, coal that was screened before shipment should be preferred.

5. Coal with a very high percentage of combustible volatile matter should be avoided. Tables showing the percentage are readily accessible generally or can be obtained from reliable dealers, and, in our opinion, true economy dictates the avoidance of all others.

6. The coal should not contain a large amount of pyrites.

7. In choosing coals, the "Coal Efficiency Reports" will indicate the relative values of those that have been used at home and abroad, and the Admiralty list will also aid in the selection on foreign stations. In any case, coals of established reputation should be chosen, even at a higher price. This is authorized by law, and the practice is strongly urged. A standard coal is apt to be free from slack and pyrites than coal of poor quality, and not only less liable to spontaneous ignition, but also cheaper in the end. The reports show that the Philadelphia can steam 7,170.6 knots, using Albion Cardiff coal, at a total cost of \$7,282.8, and that it would cost \$7,433.7 using Comox coal, although the former costs \$7.14 a ton and Comox \$5.55 a ton.

8. With respect to moisture, we consider it preferable on every ground to take the coal on board dry; but when necessary to take it on board wet, such coal should be used first if practicable, and the bunkers in which it is put examined at regular intervals.

9. In general, recently mined coal should not be taken. The authorities already cited explain this fully. The fresh coal is more greedy of oxygen than after the absorbing process has preceded for some time. Ordinarily our ships on foreign stations can not get freshly mined coal, so that they avoid this risk. The coal should be at least a month from the mine.

10. Precautions should be taken to prevent waste or oil from getting into the bunkers, and old coal should be used before that recently received.

11. With respect to the extinguishing of fires in bunkers, the means now provided appear the best practicable. The Bureau of Steam Engineering provides a steam pipe to each bunker in order that in case of fire an atmosphere of steam which will not support combustion may drive out the air. The reports show that these have been employed effectively; but it has been suggested that if the pipes for admitting the steam were placed on the bottom of the bunker instead of the top, the system would prove more efficient. Otherwise the steam escapes through the bunker exhaust pipes. The bunkers can always be flooded through the coal scuttles if that be found necessary. As a rule the coal should be removed from the bunker after it has once fired. The facility of removal depends on the location of the bunker and the total amount of coal on hand. With the extensive water-tight subdivision now carried out, and the inevitable restrictions on design in war vessels, we are not aware that any change could be made to facilitate the emptying of bunkers when a fire has occurred.

Before leaving the subject of bunker fires we may mention briefly one point to make our report complete, namely, why, if anthracite coal is absolutely free from danger of spontaneous ignition, it should not be used exclusively.

The practice of the Navy Department in using bituminous coal exclusively for the past fifteen years, after a previous extended use of anthracite, is sufficient to show that there are good reasons for preferring bituminous coal, and we give some of them:

1. The slower rate of combustion of anthracite with natural draft, thus involving greater weight and space for boilers to give same power.

2. Greater cost of anthracite than bituminous.

3. Practical impossibility of procuring anthracite except on our own Atlantic coast, so that bituminous coal would have to be used everywhere else.

4. Greater difficulty in firing anthracite than bituminous.

It thus appears that anthracite is, on the whole, distinctly inferior to bituminous for naval use except in the freedom from spontaneous ignition and the comparative rarity of this phenomenon on our ships shows that we could not

for a moment allow this advantage to outweigh the numerous and important disadvantages.

FIRES IN COAL PILES.

For this part of the subject we could find very little literature, although it is touched on by the Royal Commission, and Professor Lewis makes some suggestions.

At our request the Bureau of Yards and Docks very kindly asked for information from all the navy-yards on the number and circumstances of all fires that have occurred in coal piles as far as recorded. The replies received disclose that the records only show five or six fires in coal piles as having occurred in an indefinite period, which may be considered as at least twenty years, so that it is a very rare occurrence in our navy-yards.

Information has been kindly furnished by a number of firms using large quantities of coal, but most of it was of a negative character, as they had never experienced spontaneous ignition in their own coal piles. A report by Assistant Engineers Nulton and Banforth to the commandant of the New York Navy Yard (Commodore Erben) as a result of investigating the experience of the large gas works in Brooklyn, shows that these concerns had been free from fires for long periods.

The Pacific Mail Steamship Company inform us that they had trouble in their coal piles, but found it due to sulphur, and after assuring the absence of this ingredient had no further trouble, whether the coal was wet or dry. Other firms have stated that in the rare cases of spontaneous ignition in coal piles, within their experience, they believe them due to the presence of sulphur.

2. Professor Lewes's recommendations on coal storage are as follows: "The coal should be well roofed in, and have an iron floor bedded in cement; all supports passing through and in contact with the coal should be of iron or brick; if hollow iron supports are used they should be cast solid with cement. The coal must never be loaded or stored during wet weather, and the depth of coal in store should not exceed 8 feet, and should be only 6 feet where possible. Under no condition must a steam or exhaust pipe or flue be allowed in or near any wall of the store, nor must the store be within 20 feet of any boiler, furnace, or bench of retorts. No coal should be stored or shipped to distant ports until at least a month has elapsed since it was brought to the surface. Every care should be taken during loading or storing to prevent breaking or crushing of the coal, and on no account must a large accumulation of small coal be allowed. These precautions, if properly carried out, would amply suffice to entirely do away with spontaneous ignition in stored coal on land."

It is recommended that these precautions be taken, particularly at Key West and Honolulu, where the coal would otherwise be exposed to the sun for long periods with a temperature at times, at Key West, as high as 130° F. In such cases the roof, if of corrugated iron, should have a lining of wood separated from it by an air space.

From all we can learn, it appears that when a coal pile has ignited the best way to extinguish the fire is to remove the coal, spread it out, and then use water on the burning part. The incandescent portion is invariably in the interior, and when the fire has gained any headway, usually forms a crust which effectually prevents the water from acting efficiently.

Before concluding our report we would call attention to the fact that no experiments to determine beyond question the exciting causes of bunker fires have ever been made. The researches of the eminent chemists already mentioned, and a study of the conditions when bunker fires have occurred, enable conclusions to be drawn which we believe correct, and on these our recommendations have been based. The fact remains, however, that the very conditions which seem to have been the cause of a bunker fire on one ship have existed on many others without causing trouble.

Apparatus which would reproduce almost perfectly the conditions of the bunkers on board ship could be made at moderate cost, and then every condition supposed to be provocative of spontaneous ignition could be reproduced, carefully tested, and adjudged. The outcome of such a series of experiments would be absolute knowledge of the conditions and exciting causes of spontaneous ignition, and consequently, of the means to be employed to prevent its occurrence.

The entire cost of such a series of experiments, including the apparatus, would probably not exceed five thousand dollars, and we respectfully recommend its consideration to the Department.

We desire to place on record our appreciation of the kindness of those gentlemen who have assisted us by advice and information, and whose names will appear from the letters hereto appended.

Very respectfully,

THOMAS D. GRIFFIN,
Lieutenant, U. S. N.
W. M. McFARLAND,
Passed Assistant Engineer, U. S. N.
JOS. WESTESSON,
Chemist.

The SECRETARY OF THE NAVY.

Now, let us for a moment consider these objections seriatim:

"1. That the slower rate of combustion of anthracite in natural draft, thus involving greater weight and space of boilers to give same power."

This is clearly an error, as this conclusion is evidently arrived at by comparing the modern improved system of combustion of bituminous with the old system of firing with anthracite by using what is known as steamboat or lump coal, forgetting that there are great improvements in the preparation of anthracite coal for steam purposes, and which, with modern appliances, would produce as rapid combustion for all practical purposes as can be produced by bituminous. Moreover, the commission limited itself to combustion by natural draft, whereas in all emergencies forced draft is used, when the advantage of anthracite will at once be apparent.

"2. Greater cost of anthracite than bituminous."

While it is true that the first cost of anthracite is greater than bituminous, yet this is not a criterion of its comparative cost with bituminous, for every ton of anthracite purchased can be utilized to its fullest extent, as it does not deteriorate, does not lose its energy and virtues like bituminous, and is not destroyed by spontaneous combustion, nor wasted in extinguishing the combustion, nor in handling and shipping to the extent that bituminous wastes. Therefore in the long run it is by far the cheaper coal.

But even if it cost twice as much, that would hardly be worthy of consideration as compared with its many advantages. In fact the same objection might be urged against smokeless powder,

which costs more than twice as much as the old black powder, yet no one for a moment would contend that therefore we should still use the old black smoky powder.

"3. Practical impossibility of procuring anthracite except on our own Atlantic coast, so that bituminous coal would have to be used everywhere else."

As the grates and fire boxes in which anthracite is used are also adapted for the use of bituminous, this alone overcomes that objection; but besides that, as stated before, anthracite does not deteriorate by age or condition, and now that the sun never sets on the American flag and we have coaling stations belting the globe, what is to prevent us from having sufficient coal on all these stations for all emergencies.

This supply would not produce a great expenditure of money in the use of anthracite, but would rather be in the nature of an investment, as anthracite would be as valuable years after as it would be when it is first bought.

Moreover, if any of our coaling stations or colliers would be taken by the enemy, the anthracite coal would be of little use to them, as their fire boxes are all arranged for the use of bituminous coal, while our boxes would be arranged for anthracite, in which, in an emergency, however, bituminous could be used, while at present an enemy capturing our bituminous coal would add to their own supply.

"4. Greater difficulty in firing anthracite than bituminous."

This is also an error. As stated previously, under the improved method of preparing, the free-burning anthracite, especially under forced draft, can be fired as rapidly as bituminous, and, therefore, I am more than surprised to find that the Naval Board concludes its report in the following words:

It thus appears that anthracite is on the whole distinctly inferior to bituminous for navy use except in the freedom from spontaneous ignition, and the comparative rarity of this phenomena on our ships shows that we could not for a moment allow this advantage to outweigh the numerous and important disadvantages.

Strange indeed that this board failed to consider the smokelessness and other elements unworthy of consideration. Indeed, upon a fair trial I maintain that there is not a single element of advantage in bituminous over anthracite coal, while on the contrary there are any number of palpable advantages of anthracite over bituminous.

Sir, all we ask is a fair test. It will cost but little to give us that. To make it a fair test, however, in my judgment it should be with a ship having grates and fire boxes best adapted to the use of anthracite as against a ship best adapted to the use of bituminous, then make the tests not only short trips and short periods, but also for long trips and long periods; for I contend that anthracite is not only equal in a short test with fresh bituminous near its base of supply, but is infinitely superior in a long run with the average bituminous coal obtainable in the various coaling stations, and a fair test will prove, as I said before, that there is not a feature nor an element in bituminous coal that is equal to anthracite coal for naval purposes.

I believe that we have to-day the best ships, the best officers, the best gunners, and the best sailors in the world. We have also the best coal in the world, and that is our anthracite coal. Add the advantage we will gain by the use of it to the other advantages we have in the Navy, and in a few years we may indeed defy the world on sea as well as on land.

I respectfully invite your most earnest attention to the following extracts:

MARCH 24, 1898.

DEAR SIR: Owing to my absence the inclosed has been delayed, and I trust that taking it up again at this time may not be inopportune, in view of the active steps now being taken in your Department.

I attach herewith the letters from the Bureau of Equipment and of Steam Engineering, and beg to thank you for your kindness in favoring me with them.

While I fully appreciate that the opinions of the head of each bureau are the result of wide general experience and mature deliberation, I am unable to agree with them on many of the points which they bring forward. As against their relatively limited experience with anthracite, I beg to place that of people using annually some twenty million and more tons of this coal for steam-making purposes.

Answering the objections made by the Bureau of Equipment as to the use of anthracite on naval vessels:

1. I think the Bureau is in error in stating that the evaporative power of anthracite is not so great as that of bituminous coal. In an extended series of trials (Chemical Technology, Groves & Thorp, vol. 1, pp. 696-697) the consumption of anthracite in pounds per square foot of grate surface averages about 9 per cent less than soft coal. The steam from one cubic foot of anthracite averaged 500 pounds, as against 460 pounds from bituminous. The pounds of steam from 212° F., 1 pound of coal, averaged—

From anthracite.....	pounds.....	9.56
From bituminous.....	do.....	9.10
The average waste in ashes and clinker averaged—		
From anthracite.....	per cent.....	8.64
From bituminous.....	do.....	11.70

Further, in locomotives, where unusually severe conditions prevail, one large railway system found that the amount of anthracite lump coal consumed per engine mile was 96.9 pounds, as against 98.7 pounds of bituminous coal for the same service; and in New York City and the manufacturing districts of New England anthracite coal is used in preference to bituminous, even though the latter sells at a lower price.

In the exceedingly large number of tests which have been made at various

times to determine the relative heating value of hard and soft coal, I could quote references without number to controvert the opinion of the Bureau, and among them I beg to refer the Bureau to the report of Pro. W. R. Johnson, an eminent authority, giving the results of numerous tests made at the navy yard at Washington.

As to the tests on naval vessels, I beg to quote from the Bureau of Equipment for 1893-1895. The U. S. S. *Atlanta*, using Reading anthracite, from Key West, and soft coal from other points, reported:

	Character of smoke.	Knots per ton of coal.
Reading anthracite.....	Smokeless.....	6.7
Standard Eureka (bituminous).....	Black and dirty.....	3.6
Georges Creek (bituminous).....	Black.....	6.3
Pocahontas (bituminous).....	Large quantity, dark brown.....	4.6
Standard Eureka (bituminous).....	Large quantity, black.....	4.6
Elk Garden (big vein) (bituminous).....	Large quantity, dark brown.....	4.2

This is the only test of anthracite quoted in the report named.

In the report of the Bureau for 1895-96, the U. S. S. *Alert*, using anthracite lump coal, which had been stored for fourteen years at Pichilique Bay, Lower California, secured results of 3.77 pounds consumed per horsepower per hour, as against an average of 4.21 pounds from the various soft coals reported. Bituminous coal stored for that period would have been valueless as fuel, whereas this anthracite gave better results than the freshly mined soft coals used. In the reports from this period, extending from 1893 to 1895, the following number of tests are given:

	Tests.
Bituminous coal from various countries.....	504
Anthracite, foreign.....	1
Anthracite, American.....	2

Considering the small number of tests of American anthracite as compared with the large number of soft coal, I do not feel that the Bureau is yet in possession of sufficient data to condemn anthracite for naval vessels, and certainly not on the grounds given.

I would suggest further in this connection that the Bureau must be aware that there are as distinct varieties of anthracite as of bituminous coals. Some ignite and burn slowly, while others are the reverse. Besides, there are numerous sizes, varying from large lumps to material passing through a screen with a one-sixteenth mesh. These matters, and the determination of which size and variety may give the best results, require as careful consideration, and, if necessary, trial, as does the selection of soft coal.

2. That a vessel or fleet using anthracite coal can approach nearer to an enemy without being discovered must be admitted an important consideration, as also the fact that there is no dense cloud of smoke to interfere with signals from one vessel to another. Further, when in an engagement, vessels burning anthracite will not have the range obscured by smoke from the funnels. The objection that sufficient speed can not be obtained does not hold good in view of the data before given, and as to the speed with which a fire can be brought to its highest efficiency, this, like soft coal, depends upon the skill of the firemen.

3. Regarding the reports from the *Montgomery* and *New York*, which state that the fire required frequent cleaning, it is altogether likely that this was owing most largely to the lack of experience on the part of the firemen. They were accustomed to soft coal and knew nothing about anthracite, and it was not to be expected that the results of one brief trial would give them the same knowledge of it as of the coal they had used for months or years. Even assuming that they had a fair knowledge of anthracite, this same statement as to excessive working at the fires is made by the *Alert*, using Scotch soft coal; the *Cincinnati*, using Elk Garden and Moshannon Creek coal; and by the *New York*, using Eureka coal. In fact, nearly every vessel of the Navy reports this same difficulty with various of the bituminous coals which have been used.

As to the matter of larger grate surface, this would undoubtedly be highly desirable both as regards the use of anthracite and also of the inferior qualities of soft coal which naval vessels are compelled to take from foreign coaling stations. The grates are in most cases designed to secure full efficiency from an exceptionally high grade of bituminous coal. All speed tests are made with this character of coal and the vessel rated accordingly. As a matter of fact, this grade of coal can be secured in only two or three places, and, further, is subject to rapid deterioration if stored for any period. The average results obtained from soft coal taken at ports in various countries are not equal to those secured in the few and unsatisfactory tests of anthracite. It is, of course, impossible to change the dimensions of grates on the present vessels, but if this should be done in future repairs or new construction it would beyond doubt be advantageous, since it would enable such vessels to use anthracite coal and obtain as good results as are now obtained from the selected soft coal, or when in a foreign port to obtain from a poor quality of bituminous coal a much greater efficiency than now.

In any event, this matter of changing either the dimensions of the grates or form of grate bars is not essential to permit of the use of anthracite. It is simply desirable in order to secure the highest efficiency from that and other slow-burning coals, or those containing a large percentage of impurities.

The matter may be fairly summed up in that there have been no sufficiently thorough tests made by the Navy to give grounds for asserting that anthracite will not be satisfactory for fuel. We claim, and in this are supported by many authorities and backed by abundant tests and by practical working in 1892-1895, that anthracite will answer for naval purposes better than the average bituminous coal which is purchased, and in addition to this has the advantages of being smokeless, free from any danger of spontaneous combustion, capable of being stored with but little deterioration, and of being far easier to handle, as to loading and unloading.

Further, in this connection, since no foreign government, with the exception of Russia, uses anthracite for naval purposes, any supply of this fuel which our Government might carry at coaling stations would not be available to vessels of such governments, since they would not have experience as to burning it, nor a form or size of grate which would be suitable.

It would seem that the only satisfactory way for the Navy Department to arrive at a final and correct conclusion would be, as we have had the honor of suggesting, to detail a vessel for the purpose of fully and thoroughly trying anthracite over an extended period. If possible, it would seem best to make such a test on two classes of vessels, one a coast-defender monitor, such as the *Terror*, and the other one of the smaller cruisers, such as the *Marblehead*. These particular vessels are suggested since the dimensions of grates and area of heating surface in each is more nearly suited to anthracite than some others, and therefore the firemen would not have to encounter more than the ordinary difficulty in familiarizing themselves with its use.

If you will favor such trials as we have taken the liberty of suggesting, we are ready to cooperate in every way to make them thorough and impartial.

If you will permit it, we will advise with your Department as to the different varieties of coal and the sizes best suited for the vessels, and at the commencement of or during the trials we will be glad to send a representative on board any of the vessels to give such advice to the firemen as may enable them to the more quickly become familiar with the fuel.

There is no secret in the method of burning anthracite, nor is there anything which requires unusual intelligence. It must simply be handled in a somewhat different manner than bituminous, both as to thickness of the fire bed, the frequency of firing, and the method of working the fires. The difference to the workmen is the same as that which an engineer encounters on being placed in charge of a new engine. He can run it, but can not secure the best results until he has become familiar with its peculiarities.

Trusting that it may lie within your convenience and wish to take this matter in hand, I am, sir,

Yours, very respectfully,

HENRY S. FLEMING, Secretary.

Hon. THEODORE ROOSEVELT,
Assistant Secretary of the Navy, Washington, D. C.

ANTHRACITE FOR NAVAL USE.

In further considering this question, attention is called to the fact that a difference in the percentage of ash between anthracite and bituminous coal does not necessarily show that one or another is inferior. It is, of course, admitted that anthracite will yield more ash than a high grade soft coal, but it should be remembered that some 25 per cent of the soft coal is volatile matter, and that only about 60 per cent of this is capable of furnishing heat. Of the exceedingly small amount of volatile matter in anthracite, 80 per cent is combustible. In other words, anthracite yielding even 17 per cent ash would have the same amount of available carbon as a soft coal containing but 8 per cent ash.

In claiming that anthracite will serve equally as well as soft coal, it is not asserted that it will replace, with equal results, the coal which is used to make speed tests of naval vessels and to earn their builders a premium. The fuel used for this purpose is picked by hand, each lump passing the inspection of two or more persons at the loading point, and being subject also to inspection at the point of delivery. Consequently, it is in every way superior to any fuel delivered in the market, and a rate of speed obtained by it shows the maximum which may be secured from the vessels under conditions which are clearly impossible in actual service. In other words, such a test can not in any sense be taken as a standard for the performance of the vessel. Whether or not a test of this character is better for the purposes of the Navy than one made with a quality of fuel which can always be secured is a matter to be decided by the naval officials and builders.

Herein is one of the worst features involved in this case, as, by reason of the special selection of coal, trial trips are not fair tests of speed, because the coal used for that purpose can never be had for general use, but is fresh coal specially selected by hand as to size, to produce abnormal results for the purpose of exacting premiums. Moreover, this coal, fresh from the mines, which the Naval Board had said should never be used, should be a month, at least, exposed to the air before placed in the bunkers. Therefore the best bituminous coal is never the kind of coal used in the Navy. With anthracite it is different. Anthracite is the same at all times, and a certain quality can always be had, shipped to any place, and it will always retain its virtue and be the same at all times, at all places, and under all conditions.

The claim for anthracite is that, so far as its steam-making qualities are concerned, they are equal, and probably superior, to the average soft coal purchased by the Navy for the use of its vessels at home and foreign stations, and consequently, if this Government establishes coaling stations at various points and carries at them a supply of anthracite, it will always have a fuel whose steaming quality will be regular and can be depended upon at all times and with little regard to the period during which the coal may have been carried in stock. Further, anthracite would be easier to handle—that is, to load on a naval vessel or take from a collier—since the pieces would be practically of the same size and there would be no dust, thus lending itself well to the use of mechanical appliances for such work. Again, in addition to this, a vessel carrying her bunkers full of anthracite would be under no danger from spontaneous combustion of the coal, and in this would be avoided one of the greatest of the cares and worries of the officers of the vessels.

The spontaneous combustion of soft coal in the bunkers is not only a source of care and worry, but equally of great danger, and the injury or destruction of property and lives. Nearly every vessel in the Navy has had this to contend against, and it has only been by the greatest care and watchfulness that disaster has been avoided. Fire in coal bunkers adjoining the magazines is, of course, liable to cause the greatest damage, but serious harm can come from others, in which, through the heat from the fire, plates may be warped and grave structural injuries arise. The loss of one vessel through such cause—and this might take place at any time—would cost the Navy more than it could ever explain.

Nor is the loss through spontaneous combustion confined to prospective damages. Every fire in the bunkers destroys a large quantity of coal and seriously affects the steaming qualities of the part untouched by the fire. Only recently the steamer *Leonidas*, carrying coal from Hampton Roads to Guantanamo, arrived at that port with her cargo on fire. What percentage was actually destroyed or thrown overboard to prevent the remainder from igniting, or what depreciation the balance suffered from the heat and water poured upon it, has not been reported, but it would require but a small loss to materially increase the cost per ton as represented in the steam-producing value of that remaining.

On this point the Philadelphia Stockholder aptly says: "The superiority of anthracite as a fuel for war vessels is unquestioned. The weight of all authority favors it. For more than thirty years past successive commissions of experts, appointed by our own Navy Department, have reported in favor of the use of hard coal in preference to bituminous. Throughout the civil war Pennsylvania anthracite was used almost exclusively by the United States Navy, and it was not until several years after the close of that war that soft coal began to gain ground for naval purposes. Its advance was rapid, with the result that at the present time no United States war vessel burns hard coal. The advantages of the latter need hardly be enumerated. It seems absurd, for example, to paint our battle ships and cruisers a ghostly grey in order that their color may blend with the ocean mists, thereby concealing their movements, when a single shovelful of soft coal tossed into the fire box advertises the vessel's presence to an enemy that may be within a score of miles."

The Philadelphia Record says on the same subject:

"The building by the United States Government of a number of vessels for the Navy opens up the possibility of so constructing and arranging the grates under the boilers as to admit of the use of either anthracite or bituminous coal for fuel. At present the grates on the various vessels of the Navy are arranged solely with the view of burning bituminous coal as fuel, and

while the virtues of that fuel as a steam producer are not questioned, the coal has its very serious drawback, as has been plainly illustrated during our present war with Spain.

"One of these drawbacks is the dense volume of black smoke produced, especially when burned under a forced draft. As a consequence of this the presence of a vessel can be discovered at nearly 50 per cent greater distance than if no smoke was emitted from its funnels, as would be the case if anthracite coal were used as fuel. The absence of smoke is of the greatest consequence in blockading, and especially for the coast-defense vessels.

"A further and more important disadvantage caused by smoke is the fact that when a squadron is in motion a dense cloud of smoke hangs around the vessels, preventing, very often, a prompt reading of signals or the ability to locate each vessel, and in an engagement seriously interfering with accurate firing by obscuring the range. This is especially true when the atmosphere is heavily charged with moisture or the wind blows in the same direction as the vessels are moving. The attempted escape of Admiral Cervera with his fleet from the harbor of Santiago and the disastrous results following it forcibly illustrates the disadvantage of using bituminous coal. While it was impossible from the location of the harbor to see the Spanish admiral's ships until they emerged therefrom, the watchful lookouts on the American ships were apprised of their coming by the dense volumes of black smoke emitted from the funnels some time before the foremost cruiser came into view."

The claim is made by opponents of anthracite that hard coal will not give the same speed or radius of action secured from soft coal, nor permit of a sufficiently rapid change from low to high pressure or an emergency call, but this is yet to be substantiated. Within the past ten years there have been no sufficiently thorough tests made of hard coal to prove this assertion. Such trials as have been made, an exceedingly small number, have been with small quantities of coal, selected without regard to the peculiar fitness for the purpose, used in grates not adapted for it, and fired by men who were familiar only with soft coal, and who, owing to the small quantities of anthracite used, did not have sufficient time to learn how to secure the best results from it.

This offers no ground for condemnation. It must be evident that the request of the anthracite producers, that a complete series of tests be made on a modern cruiser, is only a claim for fairness, and is supported by the best of reasons, from all of which, if realized, the Navy would benefit.

The August letter of the Anthracite Coal Operators' Association says:

ANTHRACITE COAL IN THE NAVY.

The main objections which the Department raises against hard coal have been briefly summarized, as follows:

1. The slower rate of combustion of anthracite coal with natural draft, thus involving greater weight and space for boilers to give the same power.
2. Practical impossibility of procuring anthracite except on our own Atlantic coast, so that bituminous coal would have to be used elsewhere.
3. Greater length of time required to change the condition of the fire from slow to rapid production of steam with anthracite than with bituminous coal.

The first and third objections are largely based on theory, since there have not been sufficient tests to prove them. The second objection is good, and is also a decided point in favor of anthracite. It might be found too costly to transport hard coal to our coaling stations in the Pacific, though if this were done the coal would keep indefinitely and be of little value to ships of other nations unaccustomed to burning it; but in operations along the Atlantic seaboard our vessels would have a smokeless fuel which others could not secure, and would in this have as decided an advantage as when one side has a smokeless powder.

There is the best of ground, both in theory and from the practical experience of those who have used both fuels, for asserting that with grates properly arranged to secure the best results from anthracite and experience in burning it, even more satisfactory results can be obtained than with the soft coal which is now used. This does not apply, possibly, to some of the exceptionally good qualities of bituminous coal, but the Navy rarely purchases these, and certainly does not secure them at foreign ports.

It is open to question whether the slower rate of combustion in anthracite would necessitate a larger boiler. More grate surface would undoubtedly be necessary, as also that, in some boilers, there should be less space between the grate and boiler, but it should be remembered that this very condition, while not essential with selected soft coals, would prove highly advantageous when using the poorer grades of that fuel.

There would likely be somewhat more time required to force an anthracite fire to full efficiency than with soft coal, but to offset this, the addition of fresh fuel would be made without the production of smoke to betray the presence of the vessel. This would give an equivalent time advantage since the approaching steamer could be seen long before it could discover its opponent.

In scouting duty and in battle a smokeless fuel must have important advantages over one which produces large volumes of black smoke. Otherwise why is smokeless powder so important and why are the fire-room forces on naval vessels trained to use every precaution against the excessive production of smoke? And again, is a fuel not worth considering which absolutely avoids one of the great internal dangers on board men-of-war—spontaneous combustion? In the recent naval maneuvers this has been a constant source of worry and watchfulness.

In view of its own small experience with the fuel and the manifest advantages which it offers, it would seem highly desirable the Navy Department would, for its own information, institute a series of tests of the various kinds of anthracite, with a view to settling beyond dispute the question of its value in naval operations.

MINERSVILLE, PA., August 15, 1898.

DEAR SIR: * * * Another element against us is the shipbuilder. Of course on their trial trips they want great and quick results for short spurts, with fresh and hand-selected coal, which is all that the trial trips amount to. Upon the same principle that you can get up a quicker blaze with pine knots than you can with hard oak—make a finer display, but as we all know would not produce the same results for practical purposes.

You speak of the slowness of combustion. I do not know that I exactly understand that there is any disadvantage in that so long as the combustion produces equal, if not better, results. Slowness of combustion can not be an objection, provided the same or more heat is produced and retained, and especially if this is steadier and heat can be quickly generated. The bituminous combustion being rapid, the results are produced by flame like pine knots, while with anthracite the heat is produced somewhat by flame, but principally by what is known as live coals, like hard oak or charcoal produces, as compared with the pine knot.

The trouble is, the grates having been made generally for bituminous are too far from the boilers to get the best results from anthracite, as it is well known that to get the best results from anthracite the coal must be closer to the boiler, whereby they get the benefit of the heat of the live coals as well as of the blaze, and the combustion being slower steam can be retained much longer and much steadier than with the best of bituminous, as anthracite lasts longer and requires less stoking.

Another objection by the engineers is from the fact that the firemen really do not know how to handle anthracite coal to get best results, and because it requires a fireman with some knowledge of firing, while any "bloke" can fire with bituminous.

But after all, supposing that the engineers were right in saying that slow combustion is a disadvantage, they simply argue upon the hypothesis that the best bituminous is better than the best anthracite. Now, for the sake of argument, let us concede that point; yet they certainly can not maintain the position that the average bituminous is better or more than half as good as the average anthracite, i. e., that the best bituminous fresh from the mines may produce better results than anthracite, but how little fresh bituminous can they get, especially when abroad, as bituminous coal loses 50 per cent of its virtue when it is a year old, and keeps losing the older it gets, while anthracite retains its virtue an indefinite period. This, it seems to me, is a knockout argument on the subject of combustion in favor of anthracite.

No doubt you have seen the notice of the spontaneous ignition in the bunkers of the *Minneapolis* a few days ago, from which the steel plates got red hot and it took over eight hours to extinguish the fire, thus endangering the whole vessel and the lives of every body aboard.

I saw somewhere that one of the troop vessels that went from San Francisco to Manila was on fire almost her entire trip through spontaneous combustion in her coal bunkers. What a terrible calamity that would have been had they not worked day and night to extinguish the fire.

Yours, very truly,

CHAS. N. BRUMM.

HENRY S. FLEMING, Esq.,
Secretary Anthracite Coal Operators' Association.

MINERSVILLE, PA., August 29, 1898.

DEAR SIR: Your favor of the 26th instant at hand. I am more than sorry that the Navy Department has refused to let the *Marblehead* make the test between anthracite and bituminous coal within a reasonable time, but think if we pull together and make a determined effort, the Department may yet change its mind. I had an interview with Mr. Allen on the 19th instant, who seemed to think it would be a one-sided test to use the *Marblehead* because the captain was favorable to anthracite. I of course combated this thought, urging that to give it a fair test it ought to be done by friends of anthracite, and then let the bituminous test be made by friends of bituminous, but after discussing the matter for some time he referred me to Commodore Bradford.

I called upon him and found him still very much prejudiced against anthracite, as he showed himself in an interview with Secretary Long, when he suggested that if the Department was willing he was willing that a vessel should be selected—but not the *Marblehead*—and they would run her a distance with bituminous and then a distance with anthracite. I stated that I did not think that would be a fair test, when he flared up and in an angry manner said he did not permit anybody to tell him in his office that it would not be a fair test. I of course resented this by saying that I did not care to talk to a person who attempted to browbeat, and that I simply expressed an opinion, and that I was entitled to my opinion as well as he was. He replied that he had had thirty years' experience and my remark intimated that he did not understand his business. I said he could view that as he pleased, but that I did not think that he or anybody else was infallible, and that I did not care to have anything more to say to a man that would talk like that, and that I would maintain my opinion as against his opinion until the test proved I was wrong. He then seemed to be somewhat mollified and said he understood that my remark conveyed the idea that he in person would not give us a fair test. I said that I distinctly stated that his method of testing would not be a fair method, and that it applied only to the method and not to him as an individual.

We then started to discuss the matter in a fair way, and he finally said: "Well, if the Government is willing to go to this expense, I will not object; but he said: 'Let me know what you people want,' and then I said: 'Well, Commodore, I just told Mr. Allen that we would prepare a statement in writing fully setting forth our case, which Mr. Allen had already agreed to, and then the Commodore also consented to it.'"

Bradford is prejudiced against us and, I am afraid, is the great obstacle in our way. I think we should ask the Department to eliminate him from the case because of the treatment I received at his hands; and when our delegation saw the Secretary he stated that there was only one commander favoring anthracite in the Navy, and that he was a crank, thus showing his deep prejudice in the presence of the Secretary.

If you agree with my suggestion, I will be glad to call on you or have you call on me early this week to complete the arrangements, as I think we had better take action as soon as possible.

Respectfully, yours,

CHAS. N. BRUMM.

HENRY S. FLEMING, Esq.,
Secretary Anthracite Coal Operators' Association.

Army Appropriation Bill.

SPEECH

OF

HON. CHARLES F. COCHRAN,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 25, 1899.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900—

Mr. COCHRAN of Missouri said:

Mr. CHAIRMAN: Yesterday, when the pending bill was under consideration, the gentleman from Ohio [Mr. GROSVENOR] propounded to the gentleman from Kentucky [Mr. SETTLE] this question:

Mr. GROSVENOR. * * * What facts have you, not your own statements, what order based upon any order or decree or communication made by this Government or any officer representing this Government—upon what facts do you base the statement that there was any acceptance of Aguinaldo or any cooperation on the part of the Filipinos to lend aid? Is it not, on the contrary, the fact that the first soldier that landed carried with him a proclamation ordering that the armed Filipinos should not enter Manila and should not fight the Spaniards?

Later the gentleman from Illinois [Mr. MARSH] challenged any one to produce evidence that the insurgents fought at Manila as allies of our forces.

Mr. CHAIRMAN, the question thus raised refers to an interesting feature of, perhaps, the most important chapter in the history of the war with Spain. I characterize the complications in the Philippines as most important because I believe they presage disaster to the Republic. The destruction of the Spanish fleet at Manila, the subsequent capture of the Philippine capital, and the capitulation of the Spanish army there imprisoned and of the Spanish forces in the neighboring islands were notable incidents in the struggle, but trivial, in my judgment, in comparison with the grave consequences they have invoked.

Addressing myself to the question raised by the gentleman from Ohio [Mr. GROSVENOR], I propose to examine the facts judicially and impartially.

To what extent, under what circumstances, with what understanding, if any, did Aguinaldo take part in the military operations which brought about the downfall of Spanish power in the Philippines?

Who induced him to return to Luzon, whence he had voluntarily suffered deportation in consideration of a promise made by the Spaniards that extensive and wholesome reforms in the government of the islands would be accorded?

What manner of man is Aguinaldo? What were his motives when first he raised the standard of revolt and summoned his countrymen to take the field against Spanish domination?

What led him to return to the islands in compliance with Commodore Dewey's request?

Are the charges of bribery and corruption that have been made against him upon this floor and in some of the newspapers justified by the facts of history?

Did his forces render valuable services to the American Army and Navy in the struggle for the possession of the Philippine Islands? If so, did we accept these services knowing that they were rendered with the expectation that at the end of the struggle liberty and independence would be accorded to the Philippines?

Did Aguinaldo go from Singapore to Hongkong and thence to his native land knowing that he was expected to join forces with our Navy, and that his brave followers were to bear the brunt of the struggle as far as the loss of life was concerned, and in the end be rewarded by the compulsory establishment of an alien government, sustained by the sword, and in the control of which the Filipinos should have no voice?

Mr. CHAIRMAN, when impartial history comes to deal with the war in the Philippines, these questions will be answered; and where will the historian go, if not to the archives of our State Department, for correct information? It is there that I propose to go for the purpose of establishing the truth, and assuredly the gentlemen on the other side can not contend that such a course is reprehensible. Sir, in presenting to the consideration of the House and the country the official correspondence dealing with this question, I only anticipate the work of the historian, and before I get through I think it will be admitted that the testimony of our generals before the Paris peace commission and letters and documents forwarded to the State Department by our consuls at Singapore, Hongkong, and Manila compel an affirmative answer to the question propounded by the gentleman from Ohio.

I assert that by the testimony drawn from these sources it is conclusively proven that from the hour Aguinaldo landed at Cavite the insurgent army not only acted as allies of the American forces, but that their commander submitted himself and his forces to the control of the American commander and thereafter proceeded in strict obedience to orders.

Mr. CHAIRMAN, when the war with Spain began Aguinaldo was at Singapore. If, prior to negotiations with our consul-general at that port, Mr. E. Spencer Pratt, he had meditated returning to Luzon, the official correspondence on the subject does not disclose the fact. The evidence—and I shall treat as evidence nothing except official documents and matter approved as credible by the representative of our Government and transmitted to the State Department—the evidence, I say, seems to prove conclusively that he returned to his native land at the earnest solicitation of Consul-General Pratt for the purpose of effecting an arrangement for the cooperation of the American and insurgent forces, and that Commodore Dewey awaited his arrival at Cavite with anxiety, and gladly accepted his services.

In support of this assertion, I offer a letter written to our State Department by Mr. Pratt under date of April 27, 1898. Omitting the formal parts, here is the letter:

On the evening of Saturday, the 23d instant, I was confidentially informed of the arrival here, incognito, of the supreme leader of the Philippine insurgents, Gen. Emilio Aguinaldo, by Mr. H. W. Bray, an English gentleman of high standing, who, after fifteen years' residence as a merchant and planter in the Philippines, had been compelled by the disturbed condition of things resulting from Spanish misrule to abandon his property and leave there, and from whom I had previously obtained much valuable information for Commodore Dewey regarding fortifications, coal deposits, etc., at different points in the islands.

Being aware of the great prestige of General Aguinaldo with the insurgents, and that no one, either at home or abroad, could exert over them the same influence and control that he could, I determined at once to see him, and, at my request, a secret interview was accordingly arranged for the following morning, Sunday, the 24th, in which, besides General Aguinaldo, were only present the General's trusted advisers and Mr. Bray, who acted as interpreter.

At this interview, after learning from General Aguinaldo the state of and object sought to be obtained by the present insurrectionary movement, which, though absent from the Philippines, he was still directing, I took it upon myself, whilst explaining that I had no authority to speak for the Government, to point out the danger of continuing independent action at this stage; and, having convinced him of the expediency of cooperating with our fleet, then at Hongkong, and obtained the assurance of his willingness to proceed thither and confer with Commodore Dewey to that end, should the latter so desire, I telegraphed the Commodore the same day as follows, through our consul-general at Hongkong:

"Aguinaldo, insurgent leader, here. Will come Hongkong arrange with Commodore for general cooperation insurgents Manila if desired. Telegraph."

The Commodore's reply reading thus:
"Tell Aguinaldo come soon as possible."

"PRATT."

"DEWEY."

I received it late that night, and at once communicated to General Aguinaldo, who, with his aid-de-camp and private secretary, all under assumed names, I succeeded in getting off by the British steamer *Malacca*, which left here on Tuesday the 26th.

Just previous to his departure, I had a second and last interview with General Aguinaldo, the particulars of which I shall give you by next mail. The general impressed me as a man of intelligence, ability, and courage, and worthy the confidence that had been placed in him.

I think that in arranging for his direct cooperation with the commander of our forces, I have prevented possible conflict of action and facilitated the work of occupying and administering the Philippines.

If this course of mine meets with the Government's approval, as I trust it may, I shall be fully satisfied; to Mr. Bray, however, I consider there is due some special recognition for most valuable services rendered.

How that recognition can best be made I leave to you to decide.

I have, etc.,

E. SPENCER PRATT,
United States Consul-General.

Immediately after Aguinaldo's departure from Singapore Consul-General Pratt wrote to the State Department expressing regret at the fact that the Singapore papers had in some way become possessed of the inside history of his negotiations with Aguinaldo and had printed detailed accounts of the negotiations, including a statement of the purposes and plans of Aguinaldo. Copies of these newspaper publications were forwarded by Mr. Pratt to our State Department. A Singapore newspaper contained, the day after Aguinaldo's departure, an interesting résumé of the events which led up to the deportation of Aguinaldo from the Philippines in 1897 and a voluminous account of his recent negotiations with our consul-general. The following from this interesting publication is valuable in that it shows precisely the nature of the arrangement entered into between Aguinaldo and the Spanish authorities prior to his deportation, as well as the motive which dictated his return in response to Dewey's telegram:

Just before the actual outbreak of hostilities between Spain and the United States Singapore has been the scene of a secret political arrangement by which Gen. Emilio Aguinaldo y Famy, the supreme head of the revolutionary movement in the Philippines, has entered into direct relations with Admiral Dewey, commander of the American squadron in China waters, while that officer was still at Hongkong.

In order to understand and appreciate this interesting historical incident properly, it will be necessary to allude to the causes leading to the second appearance of the rebellion in the Philippines, which was almost coincident with, though not instigated by, the strained relations between Spain and the United States.

In December last General Primo de Rivera, who above all other Spanish generals has an intimate knowledge of the country and its inhabitants, found the position untenable for both parties. Neither of these had the remotest chance of terminating the rebellion decisively, the rebels secure in their mountain fastnesses, the Spaniards holding the chief towns and villages on the coast. Primo de Rivera therefore sent two well-known Philippine natives, occupying high positions in Manila, to propose terms of peace to General Aguinaldo in Biac-na-Bato. A council of the revolutionary government was held, in which it was agreed to lay down arms on condition of certain reforms being introduced. The principal of these were:

1. The expulsion, or at least secularization, of the religious orders, and the inhibition of these orders from all official voices in civil administration.
2. A general amnesty for all rebels, and guarantees for their personal security and from the vengeance of the friars and parish priests after returning to their homes.
3. Radical reforms to curtail the glaring abuses in public administration.
4. Freedom of the press to denounce official corruption and blackmailing.
5. Representation in the Spanish Parliament.
6. Abolition of the iniquitous system of secret deportation of political suspects, etc.

Primo de Rivera agreed to these reforms in sum and substance, but made it a condition that the principal rebel leaders must leave the country during His Majesty's pleasure. As these had lost all their property or had had it confiscated and plundered, the Government agreed to provide them with funds to live in a becoming manner on foreign soil.

The rebels laid down their arms and peace was apparently secured, but no sooner had they done so and returned to their houses than the intransigent religious orders commenced at once to again persecute them and trump up imaginary charges to procure their rearrest. The Spanish Government, on its side, imagining itself secure, desisted from carrying out the promised reforms, thinking another trick like that played on the Cubans after the peace of Zanjon, arranged by Martinez Campos, might succeed. The Filipinos, however, with this business before them, refused to be made dupes of, and have taken up arms again, not alone in the immediate districts round Manila but throughout the Archipelago, which merely awaits the signal from General Aguinaldo to rise en masse, no doubt carrying with them the native troops hitherto loyal, and for which loyal service they have received no thanks but only ingratitude.

Gen. Emilio Aguinaldo, accompanied by his aid-de-camp, Col. Marcelo H. del Pilar, and his private secretary, Mr. J. Leyba, arrived incognito in Singapore from Saigon on April 21, 1898. In Saigon, where Aguinaldo had remained for one week, he had interviews with one or two old Filipino friends now resident there. The special purpose of Aguinaldo's visit to Singapore was to consult other friends here, particularly Mr. Howard W. Bray, an old and intimate English friend, for fifteen years resident in the Philippines, about the state of affairs in the islands generally, particularly as to the possibility of war between the United States and Spain, and whether in such an event the United States would eventually recognize the independence of the Philippines, provided he lent his cooperation to the Americans in the conquest of the country. The situation of the moment was this, that the conditions of the honorable peace concluded on December 14, 1897, between President Aguinaldo, on behalf of the Philippine rebels, and His Excellency Governor-General Primo de Rivera, on behalf of Spain, had not been carried out, although their immediate execution had been vouched for in that agreement.

These reforms would have provided protection to the people against the organized oppression and rapacity of the religious fraternities, would have secured improved civil and criminal procedure in courts, and have guaranteed in many ways improvements in the fiscal and social conditions of the people. The repudiation by the Spanish Government of these conditions, made by General Primo de Rivera, now left the rebel leaders, who had for the most part gone to Hongkong, free to act. And it was in pursuance of that freedom of action that Aguinaldo again sought counsel of his friends in Saigon and Singapore, with a view to the immediate resumption of operations in the Philippines.

This publication was forwarded to the State Department, accompanied by a letter in which Mr. Pratt expressed surprise and regret that the matter had found its way into the newspapers, but containing not a syllable of denial of the accuracy of its statements. It must stand, therefore, as accurately true as far as it goes.

Mr. Chairman, I now call particular attention to what took place upon the arrival of Aguinaldo at Hongkong, where he tarried only a short time before proceeding to his destination. Here is an excerpt from a letter written to the State Department by Mr. Rounseville Wildman, American consul at Hongkong, which I commend to the careful attention of the gentlemen on the other side of the Chamber:

On May 2 Aguinaldo arrived in Hongkong and immediately called on me. It was May 18 before I could obtain permission from Admiral Dewey to allow Aguinaldo to go by the United States ship *McCulloch*, and I put him aboard in the night so as to save any complications with the local government. Immediately on the arrival of Aguinaldo at Cavite he issued a proclamation, which I had outlined for him before he left, forbidding pillage and making it a criminal offense to maltreat neutrals. He, of course, organized a government of which he was dictator, an absolutely necessary step if he hoped to maintain control over the natives, and from that date until the present time he has been uninterruptedly successful in the field and dignified and just as the head of his government. According to his own statements to me by letter, he has been approached by both the Spaniards and the Germans, and has had tempting offers made him by the Catholic Church. He has been watched very closely by Admiral Dewey, Consul Williams, and his own junta here in Hongkong, and nothing of moment has occurred which would lead anyone to believe that he was not carrying out to the letter the promises made to me in this consulate.

The insurgents are fighting for freedom from the Spanish rule, and rely upon the well-known sense of justice that controls all the actions of our Government as to their future.

Here our State Department is told that, "of course" upon his arrival in the Philippines, Aguinaldo "organized a government," and Mr. Wildman very justly observes that this was "an absolutely necessary step if he hoped to maintain control over the natives."

In estimating the claims of the Filipinos upon our Government, it should be borne in mind that, from the day Aguinaldo landed at Cavite until the surrender of the Spaniards, his forces and ours fought for a common purpose—the extinguishment of Spanish sovereignty in the Philippines. It should be borne in mind, also, that when we solicited the cooperation of the insurgent forces we did so knowing that long before our war with Spain began they had taken the field for the purpose of driving out the Spaniards and setting up a government of their own. We did not ask them to desist from this undertaking. We did ask them to help us drive the Spaniards out; and since we knew the object for which they were fighting, was this request for cooperation a tacit, if not an expressed sanction, of their war for independence? Dewey spoke for his country when he replied to Mr. Pratt's telegram.

We did not tell Aguinaldo we would ignore him and his followers, and ourselves usurp all the fruits of the victory, including the right to succeed to Spanish control of the islands, to the entire exclusion of the inhabitants from any voice in their government.

On the contrary, Mr. Chairman, we allowed Aguinaldo and his associates and followers to indulge unquestioning confidence in our willingness to accord to them at the end of the struggle at least the same treatment that we had pledged ourselves to accord to Cuba.

Nay, more. I have cited proof that a representative of our Government assisted in the preparation of the proclamation which announced that the independence of the islands was at hand. Under the protecting guns of Dewey's fleet, Aguinaldo organized a government which, Consul Wildman said, was indispensable to the control of the inhabitants. This was done in the midst of preparations for the wonderful military campaign to which I have referred.

And, (ir, this was not the only manner in which the Filipino

patriots signified the purpose which actuated them to "cooperate" with our forces. Not only were our representatives on the ground fully informed in this respect, before a blow had been struck by the insurgent forces, but Secretary Day and the President of the United States were fully advised as to the motives which led the insurgent leaders to form an alliance with our forces.

I now offer for consideration a proclamation which preceded Aguinaldo and was circulated throughout Luzon before his arrival there. It was prepared by the Filipino leaders at Hongkong with the assistance of our consul, Mr. Wildman, and sent on advance of Aguinaldo to prepare the way for his coming. A copy of this proclamation was promptly forwarded to Secretary Day, and it is printed by his authority as a public document bearing upon this question. Listen to it, and tell me whether it was possible for the Secretary of State to read it without knowing that we were about to join forces with the insurgents, and that the object for which Aguinaldo's forces fought was independence and not a change of masters:

Compatriots: Divine Providence is about to place independence within our reach, and in a way the most free and independent nation could hardly wish for.

The Americans, not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people, have considered it opportune to extend their protecting mantle to our beloved country, now that that they have been obliged to sever relations with Spain, owing to the tyranny this nation is exercising in Cuba, causing enormous injury to the Americans, who have such large commercial and other interests there.

At the present moment an American squadron is preparing to sail for the Philippines.

We, your brothers, are very much afraid that you may be induced to fire on the Americans. No, brothers, never make this mistake. Rather blow your own brains out than fire a shot or treat as enemies those who are your liberators.

Your natural enemies, your executioners, the authors of your misery and unhappiness, are the Spaniards who govern you. Against these you must raise your weapons and odium; understand well, against the Spaniards and never against the Americans.

Take no notice of the decree of the Governor-General calling you to arms, although it may cost you your lives. Rather die than be ungrateful to our American liberators.

The Governor-General calls you to arms. What for? To defend your Spanish tyrants? To defend those that have despised you, and even in public speeches asked for your extermination—those that have treated you little better than savages? No! No! A thousand times no!

Give a glance at history and you will see that all Spain's wars in Oceania have sacrificed Philippine blood. We have been put to fight in Cochín China to assist the French in an affair that in no way concerned the Philippines. We were compelled to spill our blood by Simon de Anda against the English, who in any case would have made better rulers than the Spaniards. Every year our children are taken away to be sacrificed in Mindanao and Sulu, on the pretense of making us believe these people are our enemies, when in reality they are our brothers, like us fighting for their independence.

After having sacrificed our blood against the English, against the Annamites, against the people of Mindanao, etc., what recompense or thanks have we received from the Spanish Government? Obscurity, poverty, the butchery of those dear to us. Enough, brothers, of this Spanish tangle.

Take note, the Americans will attack by sea and prevent any reinforcements coming from Spain; therefore we insurgents must attack by land. Probably you will have more than sufficient arms, because the Americans have arms, and will find means to assist us.

There where you see the American flag flying assemble in numbers. They are our redeemers.

Our unworthy names are as nothing, but one and all of us invoke the name of the greatest patriot our country has seen, in the sure and certain hope that his spirit will be with us in these moments and guide us to victory—our immortal José Rizal.

Sir, is there any pretense that this proclamation did not fully inform the American commander at Manila and the State Department at Washington that the Philippine leaders were about to join forces with us, not with the expectation of renouncing, but to the end that with the aid of the great Republic—hitherto the exemplar and teacher of the tenets of liberty—they might surely win freedom and independence? Did we signify a disposition to cooperate with them on the basis indicated in this proclamation? Had they not every reason to believe that it met our approbation? Did they not thereafter, thus believing, cooperate with our forces, fight bravely, win battles, and, according to the testimony of our generals, render services of great value?

Why, Mr. Chairman, the evidence shows that not even the White House was left in the dark as to the precise circumstances under which we cooperated with the insurgents in the operations against Manila.

I have said that the President, as well as the Secretary of State, knew from the beginning that the Filipino leaders and their followers fought as our allies with the expectation that independence would crown their sacrifices. To prove this statement I now call attention to a letter written by Aguinaldo to President McKinley, June 10, 1898.

The London Times had printed a statement to the effect that at the end of the war with Spain the Philippines would be seized and held by the United States as security for war indemnity, and that in default of the payment required of Spain the islands would be sold by the United States to England or some European power. After discussing this report at some length and with the frequent reiteration of the statement that it was not believed by the more intelligent Filipinos, Aguinaldo appeals to the American President in language piteously pathetic not to allow this great Repub-

lic to thwart the Filipinos' dream of liberty and independence. In conclusion he said:

The Philippine people * * * have seen in your nation ever since your fleet destroyed in a moment the Spanish fleet * * * the angel who is the harbinger of liberty. * * * They rose like a wave * * * when I addressed them to gain them over, and they captured within a period of ten days nearly the whole garrison of this Province of Cavite, in whose port I have my government—by the consent of the admiral of your triumphant fleet—as well as the garrison of the adjoining Province of Batavia, together with the governors and officials of both provinces; and my valiant hosts are now besieging Manila, the capital, on the south and east, while my forces in the Province of Bulacan, which adjoins this province on the north, and the chief town of which is likewise being besieged by them, nearly surround Manila on the north.

Such is the astonishing triumph which this suffering people has gained in a few days over the conquering race whose traditional valor, of which it is continually bragging, has been humbled on these battlefields and has been succeeded by a great terror; and a people of such warlike qualities, which is, moreover, thoroughly civilized, as nearly two-thirds of them can read and write, and as they have in their midst many men of high attainments in the sciences and arts, should not be sold as if it were a lamb to be sacrificed and exploited for the greed of another nation.

I close by protesting once and a thousand times, in the name of this people, which knows how to fight for its honor by means of its improvised warriors and artillery men, against the statement published by the Times, mainly for the purpose of casting a blot in history upon its glorious name; a people which trusts blindly in you not to abandon it to the tyranny of Spain, but to leave it free and independent, even if you make peace with Spain, and I offer fervent prayers for the ever-increasing prosperity of your powerful nation, to which and to you I shall show unbounded gratitude, and shall repay with interest that great obligation.

Mr. Chairman, is there any doubt as to the truth of the statements contained in this letter to the President concerning the splendid achievements of Aguinaldo's army? I grant you it is couched in exuberant language, but florid phraseology is a peculiarity of oriental peoples. Aguinaldo proudly relates the story of battles fought and won by his hardy followers, and bases upon it a pathetic plea for the observance of the rights for the attainment of which the Filipinos had fought with exalted courage and with a degree of success which, under the circumstances, was truly wonderful.

Doubtless, gentlemen on the other side will attempt to call in question the justice of this high estimate of the value of the services performed by the insurgents in the campaign against Manila, and I now offer evidence proving overwhelmingly their title to every word of praise bestowed by their leader. Upon this point I desire to submit the evidence of three distinguished American generals given before the Paris peace commission. First, I present the statement made by Gen. Charles A. Whittaker:

Q. (By Mr. GRAY.) What sort of looking people are the insurgents?

A. They are somewhat under size, are fairly good in appearance, are brave, will stand any amount of hunger and hardships and, well led, would be very good soldiers. I was collector of the port * * * and I think I had a very fine opportunity to study the peculiarities of the natives.

The inefficiency, to put it mildly, of the Spaniards in war, * * * and the creditable work of the insurgents as well, is * * * proved by the fact that the Spaniards were driven by the natives from Cavite twenty odd miles, into the defenses of Manila with never a successful attack, never a capture of arms or men. All the success was on the native side, and between 7,000 and 8,000 men well armed, plenty of ammunition, and in good physical condition. The excuse of the latter may be that their enemy was in small bands, but they never captured one of these, and the small bands drove them to their walls. This * * * demonstrates * * * the military ability shown by the Filipinos, whose characteristics I will now enumerate.

Aguinaldo went to Cavite under the permission of Admiral Dewey, in reply to a telegram sent by Spencer Pratt, esq., our consul-general at Singapore, who offered that chief money for his expenses. The offer was declined. After arrival, on one of our ships, he went ashore, accompanied by thirteen staff officers, to organize his army; but no adherents appeared the first day, and Aguinaldo, rather discouraged, meditated returning to Hongkong. I think Dewey advised him to make another effort, at the same time saying he must leave the public buildings at Cavite, where he had made his headquarters. Soon, from across the bay and all sides, men gathered. The fact that Dewey permitted the armed men to move from the surrounding district, and for the rebels to take arms (not many, says the Admiral) in the arsenal, was the only help we gave him, excepting of course, the most important destruction of the Spanish navy. From that time the military operations and the conduct of the insurgents have been most creditable. Positions taken and the movements of troops show great ability on the part of some leader. I do not say it was necessarily Aguinaldo, but he gave the directions.

By the CHAIRMAN:

Q. How many men did he get together?

A. His forces went around the city taking the waterworks on the north part of the city and running up the railroad. I asked that question of several—all the way from 8,000 to 30,000 or 40,000 men.

Q. Do you think he had as many as 8,000 men before the surrender?

A. Yes, sir; the environment of the city took a great many men. There is a vast extent of country there including the waterworks, running around the city, and they certainly had to have more than that to do so.

Q. How many arms did Dewey turn over to them?

A. I never knew exactly. I asked him that question and he said very few.

Q. Where did they get the rest of their arms?

A. Some were captured from the Spanish, some brought him by the deserters, and there were some shipments of arms from Hongkong. I believe Americans brought them in; and they have lately taken some to Batangas, in the southern part, and have taken some new Maxim guns, too.

By Mr. GRAY:

Q. To the insurgents?

A. Yes.

Q. Since the capitulation?

A. Yes. * * * The day after the surrender four representatives of Aguinaldo called on General Merritt, who assured them in general terms that "we are the friends of the Filipinos." At that time they occupied a portion of Manila. We soon demanded that they should give that up, to which Aguinaldo's representatives agreed. * * * Aguinaldo's headquarters are at Malolos, 23 miles up the railroad. His troops control all the settled parts of the island except Manila, as well as much of the southern country.

Q. What do you mean by the southern country; those islands below?

A. Yes. Their kindness to their Spanish prisoners has been deserving the praise of the world. With hatred of priests and Spaniards, fairly held on account of the conditions narrated, and with every justification to a savage mind for the most brutal revenge, I have heard of no instance of torture, murder, or brutality since we have been in the country.

By the CHAIRMAN:

Q. Did you ever talk with Admiral Dewey about his relations with Aguinaldo?

A. Yes, sir. He read me a copy of his dispatch in answer to the one in which he is asked the question whether he had made any promises, and he said he had not. Aguinaldo went down with his concurrence, and the Admiral allowed armed people to cross the bay and join him and made no remonstrance.

Q. How far does the Admiral say he encouraged Aguinaldo?

A. I do not think he says he gave him any encouragement, except that he rather dissuaded him from returning to Hongkong when he was discouraged.

Q. Did you get that statement from Dewey?

A. Yes. Aguinaldo was rather discouraged when the people failed to come to his banner on the first day. That dispatch also included a statement that he (Dewey) knew well the Filipinos and the Cubans, and that the Filipinos were a far superior people. I think that was in that dispatch. It was in one.

By Mr. FRYE:

Q. Were they of material assistance to us?

A. Very great. * * * Every place had been taken from them (the Spanish) by the Filipinos, who managed their advances and occupation of the country in an able manner. * * * I talked with Spanish prisoners, * * * and they said they had had good treatment only. The wives of two officers had lately visited their husbands in jail * * * and gave the same testimony. Aguinaldo, in a letter of August 1 to our late consul at Manila, Mr. Williams, said: "Say to the Government at Washington that the Filipinos abhorred savages; that in the midst of their past misfortunes they have learned to love liberty, order, justice, and civil life." I believe the natives to be brave under good leadership, most tolerant of fatigue and hunger, and amenable to command and discipline if justice and fair dealing rule. They are very temperate, as most of the natives of the East are. I have never seen a drunken one, and this with the example of our soldiers, whom they imitate in everything else. * * * Their skill in trades, occupations, and professions is very great. * * * I refer now to the common people, and so will omit very able lawyers, one or two having ranked as the very best of all nationalities in the Philippines, and the higher professions. As accountants they are excellent. In the custom-house sixty were employed during my administration. I visited three factories for the manufacture of cigars and cigarettes. * * * These working people seem to me of the best—quiet, diligent, skillful. The same qualities were apparent in the one cotton mill of the place.

I also invite attention to this, from the statement of Maj. Gen. F. V. Greene:

* * * In his message to foreign governments of August 6, asking for recognition of belligerency and independence, Aguinaldo claims to have a force of 30,000 men. * * * The men are of small stature, from 5 feet to 5 feet 6 inches in height, and weigh from 110 to 130 pounds.

After reciting facts which in his judgment render it improper to characterize Aguinaldo's forces as an army—want of discipline, of complete armament, the fact the men serve without pay or definite term of enlistment, etc.—General Greene continues:

* * * Yet the service which it has rendered should not be underestimated. Between two thousand and three thousand troops surrendered to it during the months of June and July. It constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night and wearing them out with fatigue. It invested Manila early in July so completely that all supplies were cut off and the inhabitants as well as the Spanish troops were compelled to live on horse flesh and buffalo meat, and the Chinese population on cats and dogs. It captured the water works at Manila and cut off the water supply.

These results, it is true, were obtained against a dispirited army containing a considerable number of native troops of doubtful loyalty. Yet from August, 1896, to April, 1897, the Filipinos fought 23,000 of the best regular troops sent out from Spain, inflicting on them a loss of over 150 officers and 2,500 men killed and wounded, and they suffered still greater losses themselves.

Mr. Chairman, I could go on for hours quoting from the official records from which this testimony is drawn, but regard it as wholly unnecessary. Before closing, however, I desire to direct attention to the correspondence that took place between General Thomas M. Anderson and Aguinaldo. General Anderson was in command of the American forces at Manila until the arrival of General Merritt. July 4, 1898, General Anderson sent to Aguinaldo this letter:

HEADQUARTERS FIRST BRIGADE,
UNITED STATES EXPEDITIONARY FORCES,
Cavite Arsenal, Philippine Islands, July 4, 1898.

SEÑOR DON EMILIO AGUINALDO,
Commanding Philippine Forces, Cavite, Luzon.

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people co-operate with us in military operations against the Spanish forces.

In our operations it has become necessary for us to occupy the town of Cavite as a base of operations. In doing this, I do not wish to interfere with your residence here and the exercise by yourself and other native citizens of all functions and privileges not inconsistent with military rule.

I would be pleased to be informed at once of any misconduct of soldiers under my command, as it is the intention of my Government to maintain order, and to treat all citizens with justice, courtesy, and kindness.

I have therefore the honor to ask your excellency to instruct your officials not to interfere with my officers in the performance of their duties and not to assume that they can not visit Cavite without permission.

Assuring you again of my most friendly sentiment and distinguished consideration, I am, with all respect,

THOMAS M. ANDERSON,

Brigadier-General, United States Volunteers, Commanding.

On the same day Aguinaldo sent the following response:

Brig. Gen. THOMAS M. ANDERSON,
Commanding the United States Volunteers.

GENERAL: Interpreting the sentiments of the Philippine people, I have the honor to express to your excellency my most profound gratefulness for the sympathy and amicable sentiments which the natives of these islands inspire the great North American nation and your excellency.

I also thank most profoundly your desire of having friendly relations with us, and of treating us with justice, courtesy, and kindness, which is also our constant wish to prove the same, and special satisfaction whenever occasion represents.

I have already ordered my people not to interfere in the least with your officers and men, orders which I shall reiterate to prevent their being unfulfilled. Hoping that you will inform me of whatever misconduct that may be done by those in my command, so as to reprimand them and correspond with your wishes, I beg of your excellency to accept in return the assurance of my most respectable consideration.

I remain, respectfully,

EMILIO AGUINALDO.

I present this correspondence, not because it is of the highest importance as showing the movements of Aguinaldo's forces, but to point out the relations established between our forces and the insurgents immediately upon the arrival at Manila of transports bearing our troops. Scores of similar communications had been exchanged when General Merritt arrived upon the scene. One of General Anderson's letters to Aguinaldo is of special importance. July 19 he sent this letter to the insurgent general:

HEADQUARTERS FIRST BRIGADE,
UNITED STATES EXPEDITIONARY FORCES,
Cavite Arsenal, Philippine Islands, July 19, 1898.

GENERAL: The bearer, Maj. J. F. Bell, U. S. A., was sent by Maj. Gen. Wesley Merritt, U. S. A., to collect for him, by the time of his personal arrival, certain information concerning the strength and positions of the enemy and concerning the topography of the country surrounding Manila.

I would be obliged if you would permit him to see your maps and place at his disposal any information you may have on the above subjects, and also give him a letter or pass addressed to your subordinates which will authorize them to furnish him any information they can on these subjects, and to facilitate his passage along the lines upon a reconnaissance around Manila on which I propose to send him.

I remain, with great respect, your obedient servant.

THOMAS M. ANDERSON,

Brigadier-General, U. S. Volunteers, Commanding.

SEÑOR DON EMILIO AGUINALDO,
Commanding General, Philippine Forces.

Mr. Chairman, I submit that if it was not then well understood that the arrangement proposed by Consul-General Pratt at Singapore had not been carried out, then this was a most extraordinary request. The commander of considerable military forces, about to enter the field for active operations, is called upon by the commander of other forces encamped in the neighborhood for full information concerning fortifications and defenses of a common enemy.

Would such a request have been addressed to Aguinaldo without a friendly understanding? Aguinaldo complied with this request. Did he do so with the understanding that at the end of the struggle political desperadoes in this Congress would jeer at the idea that he was cooperating with the Americans?

But, sir, what I desire to particularly point out is General Anderson's explicit recognition of Aguinaldo in his official capacity. The American commander addressed Aguinaldo as "the commander of the Philippine forces," and yet we are told by gentlemen on the other side of the Chamber that there were no Philippine forces of any consequence. If Aguinaldo was merely permitted to land at Cavite, and thereafter our representatives paid no attention to him—accorded no sort of recognition to him or his forces—how did it happen that the American general addressed him as "Commander of the Philippine forces," "Your Excellency," etc.?

Mr. Chairman, one other stock argument of the advocates of annexation and subjugation remains to be disposed of. They have denounced Aguinaldo as a scurvy fellow, who on a former occasion accepted a bribe from the Spaniards. They say that for gold he betrayed his people, and thereafter lived sumptuously in a foreign country upon the money for which he had sold himself to the Spaniards.

I can not believe that gentlemen who have made this false accusation on this floor knew it to be false when they made it, for that would be to impugn their veracity. Therefore I must attribute to them lamentable ignorance of facts easily ascertainable by investigation of documents printed at public expense for their enlightenment, and which may be had for the asking at the House document room. By reference to the report of proceedings of the Paris Peace Commission (Senate Document No. 62) they will find that Gen. F. V. Greene, stationed at Manila, in his statement before the Paris tribunal; Consul Williams, in his letters to the State Department, and others who have corresponded officially with our Government on the subject, not only acquit Aguinaldo of this charge, but show that his conduct in this matter was in the highest degree creditable. Here is what General Greene says:

Aguinaldo and his associates went to Hongkong and Singapore. A portion of the money (\$400,000) was deposited in banks at Hongkong, and a lawsuit soon arose between Aguinaldo and one of his subordinate chiefs, named Artacho, which is interesting on account of the very honorable position

taken by Aguinaldo. Artacho sued for a division of the money among the insurgents according to rank. Aguinaldo claimed that the money was a trust fund, and was to remain on deposit until it was seen whether the Spaniards would carry out their promised reforms, and, if they failed to do so it was to be used to defray the expenses of a new insurrection. The suit was settled out of court by paying Artacho \$5,000.

Mr. Chairman, this disposes of the charge of bribery. It proves not only that Aguinaldo did not betray his country for a bribe, but, taken in connection with authentic reports of the nature of the transaction (a part of which was the payment of a large sum of money), it shows that throughout the negotiations by which an attempt was made to terminate the insurrection in the Philippines he acted with unselfish devotion to his country and his neighbors. It having become apparent that the civil war which was devastating the islands would drag on interminably, negotiations between Aguinaldo as the representative of the insurgents and the Spanish officials resulted in the arrangement of a basis for its settlement. In the article quoted from the Singapore newspaper are recited the details of this agreement. The four hundred thousand Spanish dollars paid by the Spaniards in partial satisfaction of the terms of settlement were received by Aguinaldo personally or deposited to his credit in a bank at Hongkong. Not a cent was ever devoted to his personal use. When a confederate sought to treat this fund as the property of the insurgent leaders Aguinaldo protected it from sequestration.

In exile, he awaited the fulfillment of Spain's promise to grant justice to his countrymen, with the determination to renew the struggle in case that promise was not performed. The \$400,000 he treated as a sacred trust fund, to be used in liberating his country. And now, sir, mark what became of this money? In a letter to the State Department, dated June, 1898, Consul Williams tells the story:

To-day I executed a power of attorney whereby General Aguinaldo released to his attorney the \$400,000 now in bank at Hongkong, so that money therefrom can pay for 3,000 stand of arms bought there and expected here to-morrow.

Mr. Chairman, I have listened with amazement to the gentlemen on the other side of this chamber, who, with the sources of information so near at hand, have disclosed, in the course of this debate, dense and seemingly irreclaimable ignorance of everything bearing upon the questions under consideration. I charge them with ignorance, because in no other manner is it possible to acquit them of deliberate and wicked misrepresentation of the facts of history. In reference to other matters, the performances of the gentlemen have been surprising, but the repetition of this story about the bribery of Aguinaldo is absolutely atrocious. What is the object of such tirades of reckless abuse? Do they think that, by cumbering the Congressional Record with voluminous proof that they do not know what they are talking about, interlarded with the insinuation that refusal to join in this cheap bid for notoriety signifies a want of loyalty, they can win and hold the approbation of the people?

Sir, under any circumstances, such brazen bids for the approbation of the galleries and the groundlings would be reprehensible, but the gravity of the questions under consideration so strongly appeals to us for the exercise of common sense and prudence and patriotism in dealing with them—the consequences of error would be so appalling—that no man may hope to win abiding popularity by resort to the arts of the demagogue. The situation is too critical; the interests imperiled too dear to the American people. Before the end is reached the truth will illuminate every detail of the wretched programme by which a coterie of Republican leaders, who have surrounded the President of the United States with overwhelming evil influences, have led this great Republic into a sea of troubles.

Mr. Chairman, I do not want to be understood as standing here as the champion of Aguinaldo or to create the impression that I overestimate his capabilities or character. Thorough investigation of all available sources of information convince me that he is a man of meager education and moderate intellectual endowments, and that therefore he could not be trusted with supreme leadership in the work of reestablishing order in the Philippines. But I am convinced also that he is an honest man, a patriot, and a soldier of conspicuous ability. I am convinced that throughout the conflict between his countrymen and Spanish tyranny he has so demeaned himself as to deserve the approbation of his neighbors and the admiration of mankind. The sole purpose of this discourse is to place in the CONGRESSIONAL RECORD and before the country the truth, the whole truth, and nothing but the truth as to the events which have led up to a situation filled with incalculable perils and pregnant with forebodings of impending disaster.

The public documents I have cited prove, if they prove anything that at the outset a representative of our Government definitely proposed to Aguinaldo an alliance of the American and insurgent forces in the island of Luzon. They prove also that insurgents were in the field fighting for independence when Dewey's fleet reached Manila Bay, and that thenceforward until

the fall of Manila liberty and independence were the watchwords and battle cry of the islanders. Our Government accepted their services knowing that they expected as their reward liberty and not vassalage.

Mr. Pratt tells our Secretary of State that he sought an interview with Aguinaldo and pointed out to him "the danger of continuing independent action," and convinced him of "the expediency of cooperating with our fleet, then at Hongkong," and about to sail for Manila. We are informed that Mr. Pratt "obtained the assurance of Aguinaldo's willingness to proceed to Hongkong and "confer with Commodore Dewey to that end."

What is an alliance? Cooperation—joint action in a common enterprise, is it not? Why, sir, not to have made this alliance would have been madness—if for no other reason, because at that time not a single American had felt the charm of the vision of world-wide conquest which since then seems to have taken possession of the mind of the Chief Magistrate; liberty, not booty, had been the ideal—the liberation of the oppressed, and not their enslavement, the keynote of our teaching.

In the beginning there seemed no reason why we should not form an alliance with the insurgents, and there existed overwhelming reasons in favor of the measure. I suppose it will not be denied that, had our fleet gone to Manila and entered upon a campaign without an understanding with the insurgents, serious dangers would have arisen. Thenceforth the Spaniard would have contended with two enemies, to be sure, but this would undoubtedly have led to graver complications. The American fleet and the American army soon to arrive, and the insurrectionary forces which, at the very hour of the conference at Singapore between the American consul-general and Aguinaldo, were besieging Manila, would have acted, if not without coherence, at least without the measure of power secured. It was the appreciation of the complications that might arise from such a juncture of affairs that caused our consul-general to point out to Aguinaldo "the danger of independent action" on the part of the Filipinos and convinced Aguinaldo of the "expediency of cooperating with our fleet."

Placed with these cogent arguments, it is not surprising that Aguinaldo expressed willingness to go to Luzon and confer with Dewey with a view to securing the cooperation of forces which, we all then supposed, sought a common purpose. Mr. Pratt and Admiral Dewey thought that danger would arise from independent action on the part of the Filipinos. Mr. Pratt opened negotiations with Aguinaldo, which resulted in the return of the insurgent chieftain to Luzon, where he resumed command of the revolutionary forces. Aguinaldo coincided with the representatives of our Government as to the necessity of cooperation, and willingly became a subordinate until the arrival of the army under General Anderson. His forces cooperated with the American fleet, and, before the arrival of our troops, had accomplished wonders.

After the capitulation of Manila Aguinaldo was ordered to withdraw his forces from the northern part of the city, which had been captured by the insurgents without our help. He complied without a murmur. Mr. Chairman, have gentlemen who contend that there was no alliance borne in mind the situation existing at Manila on the day when the Spanish flag was hauled down? The insurgents were in actual possession of one part of the town when our forces stormed and captured the remaining defenses, and so the allied forces took possession of the capital city.

Permit me to marshal in their order the events that led up to this situation.

Our consul-general at Singapore sought and obtained an interview with Aguinaldo.

He pointed out to the insurgent chieftain the danger that would arise from independent action and the expediency of cooperation. Aguinaldo readily concurred in this view of the situation.

Consul-General Pratt sent a cablegram to Dewey, stating that Aguinaldo would come to Hongkong and arrange for cooperation of the insurgents if desired.

Commodore Dewey replied, urging Aguinaldo to come as soon as possible.

Shortly after the destruction of the Spanish fleet Aguinaldo landed at Cavite, having been conveyed there on an American war vessel. He was accompanied by a numerous staff and published a proclamation announcing that the Americans were about to drive out the Spaniards and secure the independence of the Philippines, and urging his countrymen to enlist under the revolutionary banner.

For a day or two there was no response, and Aguinaldo, discouraged, was about to return to Hongkong, but was prevailed upon by Commodore Dewey to remain and make a further effort.

Within a week thousands of his countrymen had joined the ranks, and there ensued a military campaign so ably conducted and so fruitful of results as to elicit the praise of our generals who were on the ground and the admiration of the world.

When the reinforcements sent to Dewey reached the scene they

found the insurgents in possession of the island of Luzon, outside of Manila, and in possession of part of the city of Manila including the waterworks.

Our forces speedily reduced the remaining defenses, the Spanish flag was lowered, and, upon the request of the American general, Aguinaldo's forces withdrew from the city.

Manila had fallen; Spanish domination in Luzon was at an end. And all this had been attained by the cooperation of the American and insurrectionary forces in pursuance of the plan mapped out by Consul-General Pratt at Singapore, sanctioned by Commodore Dewey, promoted by Consul Wildman, of Hongkong, and acted upon and enforced by the free consent of both parties to the compact down to the day of the surrender of the Spaniards.

Mr. Chairman, if this did not constitute an alliance, how in heaven's name could one be formed?

Mr. Chairman, in sheer desperation, the gentlemen on the other side of the Chamber are compelled to resort to every artifice of which their great ingenuity is capable in order to make the shadow of a defense of the course pursued in the Philippines by the McKinley Administration since the fall of Manila. In the frantic endeavor to sustain an untenable position they have misstated the well-known facts of recent history, heaped slander mountain high upon the head of the victim of their treason to a solemn compact with a faithful and confiding ally, and when the enormity of their sin is called to their attention they seek to avoid an honest discussion of the merits of their cause by assailing their critics. Why, sir, if I should close this branch of the subject without shutting the door against such a diversion, before twenty-four hours some gentleman upon the other side would arise in his place and state in the most emphatic way possible that at the time of the negotiations with Aguinaldo at Singapore there were no insurgent forces in the Philippines. To prevent this, I quote from advices forwarded to the State Department from Manila by Consul Williams at about that time. Writing from Manila, February 23, 1898, in reference to the situation in the islands, Mr. Williams said:

Peace was proclaimed * * * but there is no peace and has been none for about two years. Conditions here and in Cuba are practically alike. War exists, battles are of almost daily occurrence, and ambulances bring in many wounded, and hospitals are full. Prisoners are brought here and shot without trial, and Manila is under martial law.

Writing again, March 19, 1898, Mr. Williams said:

Insurrection is rampant; many killed, wounded and made prisoners on both sides. A battleship, the *Don Juan de Austria*, sent this week to the northern part of Luzon to cooperate with a land force of two thousand, dispatched to succor local forces, overwhelmed by rebels.

Rebellion never more threatening to Spain. Rebels getting arms, money and friends, and they outnumber the Spaniards, resident and soldiery, probably a hundred to one.

In his letter of March 27, Mr. Williams said:

Cuban conditions exist here possibly in aggravated form. Spanish soldiers are killed and wounded daily, despite claimed pacification, and the hospitals are kept full.

Last Thursday, March 24, a crown regiment of natives, the Seventy-fourth, stationed there was ordered to advance against the native insurgents nearby. The regiment refused to obey, and eight corporals were called out and shot to death in the presence of the regiment, which was again ordered to advance and threat made that a refusal would be death to all. All did refuse and were sent to barracks to await sentence. * * * The entire regiment, with arms and equipments * * * deserted in a body to the insurgents, saying they were willing to fight the foreign enemies of Spain, but would not fight their friends. * * *

On Friday, March 25, a Church holiday, a meeting of natives was being held near my consulate in Manila, the natives being unarmed. The building was surrounded by police and military, the meeting broken up, twelve natives wantonly shot to death, several wounded, and sixty-two taken prisoners. Saturday morning, March 26, the sixty-two prisoners were marched in a body to the cemetery and shot to death, although it was shown that several were chance passersby or employees in shops adjoining, not being in attendance at the meeting.

It was cold comfort to the widows and orphans of innocent men to have Spanish officers present them the mangled corpses of husbands and fathers.

Such horrors, but usually on a smaller scale and at times attended by greater disregard for modern rules of war, occur almost daily, and the piteous cry goes up, "Will it ever stop?"

March 31, Mr. Williams wrote to Secretary Day a lengthy letter, describing the conditions at Manila and throughout the island of Luzon. Among other things indicating the extent of the insurrection then in progress and the desperate straits to which the Spaniards had been reduced, Mr. Williams said:

Months ago pacification was claimed by the governor-general. It was false. A truce had been bought with \$1,650,000, during which the governor-general hoped to embark for Spain, but all was a hollow farce.

The Madrid Government seems now to understand all, and the governor-general has been ordered to remain. * * *

Now 5,000 armed rebels, which for days had been encamped near Manila and have been reinforced from the mountains, plan to attack the city to-night. All is excitement and life uncertain.

News came this afternoon of the wounding of the governor in one of the southern provinces and the defeat of the crown forces under his command.

I have not time to go extensively into the subject, but those best informed were of the opinion that if, after the destruction of the Spanish fleet, our ships had sailed away, leaving the Spaniards

and insurgents to fight it out, Spain could not have held her revolted subjects in bondage; and certain it is that the purchase of her Philippine possessions by this Government for \$20,000,000 was the crowning extravagance of a military campaign in which the splendid courage of American seamen and soldiers and the amazing incapacity of those highest in authority were abundantly proven. We bought what has been construed to be Spain's right to maintain, by force of arms, possession of the coast towns of five or six of the islands. Spain has held no better footing, and it will cost 50,000 lives and a billion of money, and ten years' war, for the United States to extend their authority to all parts of the archipelago.

Mr. Chairman, I assert that, up to the date of the arrival of General Merritt at Manila, there was nothing whatever to indicate to Aguinaldo indisposition on the part of the Americans to treat him as an ally, entitled to just consideration and respect. General Merritt, a soldier accustomed to implicit obedience from officers of inferior rank, and to yielding implicit obedience to his superiors, went to Manila fresh from Washington, where he had received definite instructions as to the course thereafter to be pursued in dealing with Aguinaldo and the insurrectionary forces. Before his arrival, the insurgents had concluded the vigorous and successful campaign so ungrudgingly praised by Generals Whitaker and Greene. They had driven the Spaniards from the interior of Luzon and taken complete possession of the island outside of Manila, and General Merritt found the Spanish army mowed up in the trenches and fortifications of the Philippine capital, without food, with their water supply cut off, and in such desperate straits that had there been not a single American soldier within a thousand miles of the island, Manila would have fallen all the same.

I forbear extensive comment upon what ensued. General Merritt carried out to the letter the instructions which contemplated breaking off friendly relations with the insurgents, and from that day until this our policy in the Philippine Islands has been most unwise. Naturally enough, with the end of the war the leaders of the Filipinos, who had until then "blindly trusted" the American Government, became anxious to know definitely our purposes. Does anyone believe that a frank avowal on an intention to pursue an honorable and straightforward policy would not have rendered a conflict between our forces and the insurgents impossible? And, sir, I contend that the history I have quoted points out as indispensable to the honorable fulfillment of our engagements abatement from the thought of conquest and subjugation.

When "Old Glory" was raised over the capital of the Philippine Islands, we should have said to the natives and to all the world, "The American flag is the emblem of liberty and independence." Forcible annexation of territory, war waged for the purpose of subjugation of ten millions of people who are fighting for the right to govern themselves is, indeed, "criminal aggression." Sir, we owed it not only to the Filipinos, but to ourselves, to declare without delay, in unmistakable language, that the Philippine Islands were and of right ought to be free and independent. If the situation was such as to render it necessary, our forces could have remained there as long as their presence seemed necessary for the maintenance of order and protection of property, and to this little objection would have been interposed. Failure to discharge this manifest duty has brought upon this country difficulties, responsibilities, and dangers almost immeasurable. A medley of blunders and mistakes unparalleled in the history of the Government has precipitated a conflict which no one can see the end of, and before we get through with it thousands of lives and hundreds of millions of dollars will be sacrificed.

And do the gentlemen imagine that bluster and bravado are to prevent those who from the start have been opposed to this wretched programme from holding it and its authors up to the execration of the country? When we protest against sending American soldiers to the antipodes to die in the jungles of a tropical country, to the end that stock jobbers and speculators may have an opportunity to prey upon a half-civilized community, and with the distinct understanding that no other class of American citizens can by any possibility be profited, do gentlemen who favor this wicked programme think that the country will accept as an answer to this arraignment the absurd plea that national honor requires the appropriation to our own use the property and the subversion of the liberties of a people who, with "blind confidence," fought side by side with our own soldiers, confident that this great Republic could be relied upon to meet obligations imposed by a sense of justice and the requirements of honor?

Sir, speaking for myself alone, I declare unmixed faith in the honesty and intelligence of American public sentiment. I do not believe it will indorse the policy of the Administration; I do not believe our constituents expect us to sanction the policy of brutality and dishonesty which has led to the present unfortunate situation. But, sir, even if I believed that the delirium which seems to have seized certain high officials pervaded the continent, still I would discharge my duty as I see it, and denounce what I regard as a policy the most unwise, injudicious, cruel, and indefensible that could have been devised.

Policy Regarding the Philippines.

SPEECH

OF

HON. JOHN E. KELLEY,

OF SOUTH DAKOTA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 24, 1899,

On the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900.

Mr. KELLEY said:

Mr. SPEAKER: Much has been said and written concerning the policy of the Government in the prosecution of the present war with the inhabitants of the Philippine Islands; so much, indeed, that had it not been for the acrimonious discussion which took place recently on the floor of the House and the unwarranted and unjust accusations made by members on the other side of the Chamber regarding the attitude and questioning the patriotism of members on this side, I should not have felt myself called upon to express an opinion now.

But, sir, on several occasions we have listened to members on that side of the Chamber rise and question the patriotism and challenge even the loyalty of some members on this side to our brave boys who, upon the island of Luzon, are bravely defending the American flag. This I condemn as unwarrantable and wholly unbecoming any member of this House. In my opinion the time is passed for demagogism, if it ever could be considered a part of the political makeup of an honest man.

The time is passed for such statements as "The flag is there, and who shall pull it down?" The American flag should be put up and taken down at the instance of the American people as reason, justice, honor, and the well-being of the Republic may dictate. There is no division of sentiment in this House or in this country as to the success of American arms in the Philippines; nor have the criticisms upon the policy of the Administration been aimed at the President because of the raising of the American flag over Manila or the maintaining of an orderly government there for the time being.

There is a very great difference of opinion, however, as to the advisability of making the Philippine Islands a part of this Republic, and going into the colonial business upon the model established by European monarchies, the hereditary oppressors of mankind. Upon this point I do criticize the President and disagree with his policy, or speaking more properly, the policy of the power behind the throne—the great corporations whose will is registered in every act and thought that emanates from the White House.

Had the people of the Philippines been informed, as were the people of Cuba, that the only purpose of this Government was to assist them in establishing a government of their own, and that when such was established our forces would quietly withdraw and allow them to govern themselves in their own way, not one drop of American blood, in my opinion, would have been shed in the whole Philippine Archipelago, and the country would have been spared the humiliating sight presented to our own consciences and to the world of slaughtering men who see no difference in our motives and the motives which actuated Spain during her long reign of oppression and blood.

The struggles of this people for liberty antedates the war between this country and Spain, and where is the son of a Revolutionary father who can find it in his heart to condemn them for resisting what to their minds appears but a change of masters? I hold that it is now the duty of this Government to establish order in that unhappy country, by force of arms if necessary, but it is my firm conviction that such can be established without the shedding of another drop of human blood.

Let the President issue a proclamation, even now, announcing to the Filipinos and to the world, that it is the intention of this country to withdraw completely from their affairs as soon as practicable and allow them to establish a government of their own choosing, and I will venture the prediction, if he does so, there will be no further necessity for increasing the Army to 100,000 men and increasing the burdens of taxation upon the people, and that greater question, remove the necessity of the flower of American manhood finding premature graves upon a foreign shore.

What is to be gained by this colonial policy which the Administration seems bent on pursuing? Is it considered advantageous to this country to come into possession of the Philippine Islands? Who is to be benefited by the acquisition of such territory? Surely we can derive no benefit from a commercial standpoint, for England, the prime mover in the whole drama, demands an open-door policy, and there are few so ignorant of the true condition of

affairs as to believe her demands not equal to the establishment of her policy.

What becomes of the boasted friendship of the great apostle of protection to American labor under this new régime of imperial acquisition, whereby 10,000,000 Asiatics are to have free access to the already glutted labor markets of this country? Why hold upon your statutes laws for the restriction of emigration and prohibiting laborers to enter this country under the contract system, if these peoples be what you say, and as Kipling puts it, "Half devil and half child," when by one act you place, in a wholesale manner, 10,000,000 of these the lowest laborers in the world on an equal footing with the laborers of this country?

No member upon this floor has so far been able to show what benefits could accrue to the people of this country by annexing the Philippine Islands or by holding them as colonial possessions, which means the same thing. Our laborers will be better without them, the permanent holding of them can add nothing to the well-being of our farmers, and our merchants are to have no trade privileges but what the world enjoys, and that they had before, with some slight discrimination in favor of Spain.

Why, then, do you covet them? Ah, Mr. Chairman, I still can hear the faint reecho of those euphemistic phrases "benevolent assimilation" and "we owe it to humanity."

Phrases which are so hypocritical and transparent as to be apparent even to the most casual observer. But had they been made in actual good faith, were the expansionists actuated by those sublime motives of philanthropy and humanitarianism which they profess, I would still oppose the permanent holding of the Philippine Islands as strongly as I oppose it now. I would oppose it because a benign and generous spirit, extended by this country to all mankind, does not imply any such terrible sacrifice as this policy of expansion contemplates. The possession of territory so remote from our shore can never be but a source of weakness to us, just as it was an element of weakness to Spain during the late war.

The people of those islands differ widely from us in all the diversified features that characterize the human race. Were we to establish a permanent government there, however good it might be, they would undoubtedly be incapable, owing to race prejudice, of appreciating it, and continuous warfare, such as Spain had with them, and such as England is now having with like colonies, will be the consequence. The result of imperialism is militarism, and that means interminable warfare by this country the same as it has been with every other country that has adopted a similar policy, and if its advocates do not recognize this apparent effect I am sure that they are the only ones who fail to comprehend its magnitude.

It was perfectly apparent to Lord Salisbury, who, at the Lord Mayor's banquet in London recently, said:

The appearance of the United States as a factor in Asiatic politics is likely to conduce to the interests of Great Britain, though it may not be conducive to the interests of peace.

I would oppose the permanent holding of this territory if the people there were a unit in requesting permanent annexation; I would oppose it because it imposes burdens with no compensating features in return, but, on the contrary, will bring new and perhaps now unforeseen troubles in the career of this country, subjecting us to the harassing complications of foreign nations, increasing the chances of armed conflicts, and necessitating a large standing army, with increased taxation to support it, so vastly different from the course we have thus far pursued as a nation, but a necessary concomitant to the new régime to be ushered in with the inauguration of the reign of imperialism and conquest.

BENEVOLENT ASSIMILATION.

We have heard much about the good intentions of the Administration, and how the blessings of our standard of civilization are to be conferred upon the Filipinos through "benevolent assimilation." But, sir, we do not need to grope in the dark as to the beneficent results to come from assimilation. We have had practical examples of it right here in our midst under the most favorable circumstances ever since the foundation, aye, since the discovery, of America.

Unlike the proposition which the Philippine question presents, 10,000,000 hostile people 10,000 miles distant from us, dissociated from us by every sentiment that constitutes the human soul, but, instead, a mere handful of the aborigines of this country, in the very midst of our civilization, our churches, and schoolhouses; and what is the result? War, war, war, until their ranks are decimated.

And their declining numbers constitute but mere remnants of the once powerful tribes that occupied this country. Refresh your memories by glancing over the pages of history and read an account of the massacre at New Ulm, Minn., at the close of the civil war, the Custer massacre later on, the battle of Wounded Knee in 1891, and the smaller experience in Minnesota a few months ago.

There is a proposition before this House at this time to secure a greater military establishment at Fort Randall, S. Dak., than has ever yet been there, and for good and sufficient reasons—to protect the inhabitants of that part of our country against an uprising that may cause the destruction of life and property. Nor are our troubles with the Indians the only example of failure to produce harmonious conditions where the different races of man come in conflict with one another. Turn to the Southern States and there again you are confronted with a condition of affairs almost as bad as that existing between the red men and the white men of the North.

Even we of the North are not wholly unfamiliar with the term "Shotgun brigade;" and the frequent outrages, followed by lynchings, together with an occasional assassination of an obnoxious postmaster—obnoxious, forsooth, because of a different race. From all of these facts, which certainly must be apparent to all, one may readily imagine that our benevolence has been nearly exhausted in this country without the accomplishment of great results; and now to attempt the conquest of territory on the opposite side of the planet from us, the subjugation of peoples dissimilar in every conceivable manner, I believe to be an act of folly certainly without a parallel in the history of this country.

So far I have but considered the rights of our own people, the sacrifices which they shall be called upon to make, and the menaces which the peace of the country will be subjected to should the policy of the Administration be continued and the territory of the Philippine Islands be indefinitely held by this country. But there is another side to the question. Even if it were to our advantage politically and commercially, instead of against it, such an act is in contravention of the conscience and the high sense of justice of the American people.

Those people were our allies during the war with Spain. They were then regarded as patriots struggling for their liberty, actuated by the most exalted patriotism, in a grand endeavor to drive a foreign despot from their native shores. Can they be considered less patriotic now because they refuse to lie supinely down and accept a change of masters? We are told now that Aguinaldo is a very bad man; that he is not trusted or respected by anyone, not even by the Filipinos themselves—an opinion that seems to have taken deep root in the minds of men in proportion as they become intoxicated with the ideal glory of imperialism.

But the following estimate of Aguinaldo's character by the American consul at Singapore, as he transmitted it to Mr. Day, then Secretary of State, ought to be the best evidence as to the character of the Filipino general. It seems from this that he was not thought very bad company then, either by Consul Pratt or Admiral Dewey; and they, being on the ground, ought to be the best judges. Here is what Mr. Pratt said, taken from Senate Document No. 63, which gives the correspondence pertaining to the Paris peace treaty commissioners:

MR. PRATT TO MR. DAY.

CONSULATE-GENERAL OF THE UNITED STATES,
Singapore, June 3, 1898.

SIR: I have the honor to submit inclosed a telegram from Hongkong of the 25th ultimo, on the situation in the Philippines, published in Singapore yesterday afternoon the 1st instant. Considering the enthusiastic manner General Aguinaldo has been received by the natives and the confidence with which he already appears to have inspired Admiral Dewey, it will be admitted, I think, that I did not overrate his importance, and that I have materially assisted the cause of the United States in the Philippines in securing his cooperation.

No close observer of what had transpired in the Philippines during the past four years could have failed to recognize that General Aguinaldo enjoyed above all others the confidence of the Filipino insurgents and the respect alike of Spaniards and foreigners in the islands, all of whom vouched for his high sense of justice and honor.

I have the honor to be, etc.,

E. SPENCER PRATT,
United States Consul-General.

The President gave out the statement to the public in his Boston speech, now famous alike for the words he expressed and the thoughts he concealed, that he had no policy in regard to the disposition of the Philippine Islands, but intended to turn the whole question over to the consideration of Congress. How much reliance should be placed on this statement can best be estimated when we consider the President's sentiment-creating trip recently through the South in favor of his policy, where he made the demagogic statement, "The flag is there, and who shall pull it down?" Everyone knows what that means, and everyone knows that this Congress is now very close to its end, and it has not been asked to formulate a plan for the disposition of the Philippine Islands.

Neither does anyone at all acquainted with affairs at this capital believe that an extra session of Congress shall be called for the purpose of considering the question. What appears far more likely is that what the Administration desires is to get rid of Congress, so that the imperialistic plan may be sufficiently advanced by December, when Congress meets again, to prevent any interference with the new scheme of Asiatic conquest.

We have been told that the policy of this country has been one of expansion since its earliest history. And so it has, but only to

expand and absorb adjacent and largely unsettled territory, with the exception of Alaska, and that had no settlement which gave us an opportunity to colonize with our own people, and left the country one compact whole, stretching from ocean to ocean, an end to be desired by all who had the welfare of their country at heart—a vastly different proposition to annexing territory 10,000 miles distant and already more thickly populated than any portion of our own country.

Unless this country is ready to support a military establishment equal to the mighty armaments of European countries and bear the burdens of taxation to support it, its sober and reflective judgment will decide against a policy fraught with so many disadvantages without one redeeming feature to compensate for them. And I am satisfied that the country will give its deliberative judgment against the policy of the Administration—this optical illusion, this Oriental mirage which enables it to see an oasis in the midst of a Sahara Desert—at the first opportunity that is given.

Army Reorganization.

SPEECH

OF

HON. CHAMP CLARK,

OF MISSOURI.

IN THE HOUSE OF REPRESENTATIVES.

Monday, January 30, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. CLARK of Missouri said:

Mr. CHAIRMAN: Amid the epidemic of hysteria prevailing here, I have little hope that a man who is not afflicted with that disease can have a fair and patient hearing. The other day my eloquent, handsome, and exuberant friend from Iowa [Mr. DOLLIVER] referred to me as having declared that "We took the Republican party by the scruff of the neck and dragged it into the Spanish war." The gentleman from California [Mr. LOUD] referred to the same thing, but did not know whether it was in the RECORD or not. It is there. I beg leave to assure him that, like the flag of our country, it is still there.

I repeat it now, Mr. Chairman, and history will confirm the statement, that the Democrats and Populists in this House took the Republican party by the scruff of its neck and dragged it into the Spanish war; and I intend to put in the RECORD the facts that will prove it. The difference is this: We dragged you into a war to free a neighboring people struggling bravely for liberty; you are dragging us into a war to enslave a distant people who are also struggling bravely for liberty. [Applause.]

Your reluctance in patriotism then, your hoggishness in trying to monopolize its honors and glories now, reminds me of a Poland China sow that my father used to tell me about when I was a child, which was so bashful they had to pull her ears off to get her to the trough, and so greedy they had to pull her tail off to get her away from it. [Loud laughter.]

But, Mr. Chairman, the fact of history is this: We did not drag you into the Spanish war until war was all the honorable alternative that was left. My other friend from Iowa, he of the leonine mane and roar, General HENDERSON, said the other day that William McKinley did everything that could be done to prevent the war. I deny the statement; it is contrary to the truth of history. He did, mayhap, do everything that might have been done, except the one thing needful; and that was to grant belligerent rights to the Cuban patriots, which he never would do and never did do.

Mr. Chairman, I want to ask a question pertinent and far-reaching: What is it that came over the spirit of the dream of the Republicans in this House? In 1896 most of them dodged the vote or voted for the resolutions to give belligerent rights to the Cuban patriots. I find in the roll of 1896 the great names of DOLLIVER, of CANNON, of ILLINOIS, of COUSINS, and a great array of brilliant names. But there was one name which on that occasion, like that of Abou Bel Adhem, "led all the rest"—the name of the new chairman of the Committee on Ways and Means of this House, the present Chairman of the Committee of the Whole, "the white-haired mandarin of Congress," Mr. PAYNE, of New York. [Laughter.]

Mr. Chairman, I looked over that roll of March, 1896, to see if the name of the great prophet of the Hocking Valley, General GROSVENOR, was there in the list of ayes, but it was not. He did not vote at all. However, he was not to be left out, for when the conference report was voted on, in April, he yelled "Aye" as loud as any of them. Now, how did it happen that with that record staring them in the face, when Judge DE ARMOND, of Missouri,

offered his amendment here in January, 1898, giving belligerent rights to Cuba, that all Republicans voted no? How did it happen that when my friend from Texas [Mr. BAILEY] offered his resolution granting belligerent rights to the Cubans, you on that side unanimously voted no? What reason can you give for any such an inconsistent performance as that? Why, sir, the reason was small, petty, and vicious politics; that is it. [Applause.]

I have been taunted with having said that your party was dragged into the Spanish war. The gentleman from California [Mr. LOUD] said that that speech of mine was a "celebrated speech." Now I want to tell you of another piece of "dragging" which I intend to do in my printed remarks. I wish I had time to do it now. I intend to take you by the scruff of the neck and drag you to the bar of history as trembling culprits [laughter], and show, step by step, the whole conduct of the Democratic party, which was glorious, and that of the Republican party, which was ignominious, in the performances leading up to the Spanish war.

Napoleon said at St. Helena, "Don't read me history; it is mostly lies;" and I am sick and tired of hearing the lie that goes over this country that we undertook the late war in the cause of humanity. We did not do any such thing. It was a war for revenge, pure and simple. For two years the American people—God bless them!—wanted a war for humanity, but your great immaculate Joss up in the White House would not let them have it [laughter and applause]; but when the *Maine* was blown up, and 266 of our sailors were sleeping at the bottom of the sea, such a fell cry for vengeance went up from the American people—such a roar of execration—that it not only startled the Man in the Moon but "the man at the other end of the Avenue." Then, and not till then, you got the war. But at Manila and at Santiago our soldiers and sailors, by land and sea, did not go into battle shouting, "Remember the reconcentrados!" but they went in with a shout that will echo down the ages—"Remember the *Maine*!" [Applause.]

While I am at it, there is one special piece of "dragging" I intend to do. I intend to drag to the bar of history the prophet maximus of this Administration, the gentleman from Ohio [Mr. GROSVENOR], and pillory him there for that speech he uttered at Columbus in June, 1898, which contained the greatest canard—I will call it canard, because that is a polite and parliamentary word [laughter]—the greatest canard uttered in this world since Ananias and Sapphira had their ill-starred land transaction. [Laughter.]

I am opposed to this bill for many reasons, but especially because it is one feature of a general scheme to enslave an alien people and in the end, Mr. Chairman, to enslave the American people.

Talk of confining the Army to the Philippines. It is all bosh. It can not be done. England started out to confine the Sepoys to India theoretically, and what was the result? One fine morning she anchored thousands of them in the Golden Horn to overawe the latest successor to Solomon the Great. Europe was astonished, but the Sepoys were there with guns in their hands.

Pass all the bills you please to keep your thousands of soldiers in Cuba and the Philippines, and yet I say to you that a capable, unscrupulous, ambitious man in the White House, when Congress is not in session, can in thirty days bring them here to overawe the people, carry the election, and overthrow the Republic. [Applause.]

So, Mr. Chairman, we are met with a singular condition of things. There is not a man on the other side of the House—not a single, solitary one, who is supporting this bill—who is willing to stand up on this floor and say what he is going to do.

Mr. MAHON. Here is one. [Laughter and applause on the Republican side.]

Mr. CLARK of Missouri. No; you do not know my friend. [Laughter and applause on the Democratic side.] You are here simply to vote on the pending bill, and you do not know any more than any other man what is to be the result of it. No man—not even the President himself—dares to state the policy of the President.

Mr. JOHNSON of Indiana. And the rest are put under a "gag law," and are unable to say what is to be done. [Laughter and applause on the Democratic side.]

Mr. CLARK of Missouri. I have stated the record of Republicans of the House of the Fifty-fourth Congress on the Cuban question at a time when a man not elected by them, but the best friend they ever had, was in the White House. They were then almost unanimously rampant for granting belligerent rights to the Cuban patriots. They were not satisfied with voting for it once. They voted for it twice, and all Democrats voted with them, except a few, mostly Cleveland cuckoos.

REPUBLICAN RECORD ON CUBA IN THIS CONGRESS.

But on March 4, 1897, William McKinley was inducted into the Presidential office, and on March 15 the Fifty-fifth Congress was convened in extraordinary session.

In the meantime things in Cuba had grown more critical. The

Cubans had fought longer and more successfully than they had at the times when the Republicans voted by overwhelming majorities twice in the Fifty-fourth Congress in favor of granting the Cubans belligerent rights.

The Cubans were nearer independence by their own prowess and heroism. Most of the Cleveland cuckoos had gone out of business and out of Congress. Their idol having been retired to private life, they were in Othello's position—their occupation was gone.

People everywhere supposed that, as Grover was out and William in, the House of the Fifty-fifth Congress, having 51 majority over all, the minority being composed almost entirely of men who sympathized honestly and deeply with the struggling Cubans, would at once grant them the belligerent rights for which Republicans clamored in the Fifty-fourth Congress; but the American people were destined to be sadly disappointed. The Republicans took the back track, until an outraged public sentiment drove them into belated action.

To say nothing of many minor efforts made to have belligerent rights granted to the Cubans, in this Congress, the following are matters of general notoriety and will demonstrate the utter unwillingness of the Republicans to do when they could what they pretended they wanted to do when they couldn't.

Early in the extra session of 1897 what are known as the Morgan belligerency resolutions passed the Senate by a great majority and were sent to the House, where they slept the sleep of death. Now, if the House Republicans had been honest in their endeavors in the Fifty-fourth Congress to help the Cuban patriots they would have jumped at a chance to pass the Morgan belligerency resolutions with a whoop, for they well knew that every member of the minority would vote for those resolutions, if only permitted to do so. But the House Republicans did not jump at this golden opportunity, which proves the utter hypocrisy of their performances touching Cuban matters in the Fifty-fourth Congress.

The long extra session drew its slow length along to a conclusion, and the House, with its beastly Republican majority of 51 over all, did absolutely nothing to aid the cause of human liberty by helping the Cubans, who were making an heroic effort to secure their freedom. But let it never be forgotten that during the extra session the minority in the House did do everything in their power to succor the struggling Cubans.

Vacation came; things grew worse. Congress met in regular session in December. Things grew worse, but still the Republicans did nothing—absolutely nothing.

All sorts of resolutions touching Cuba were introduced, and they slept in the Committee on Foreign Affairs.

In January, 1898, Judge DE ARMOND, of Missouri, offered to the diplomatic and consular appropriation bill an amendment providing for recognizing Cuban belligerency. After one of the most bitter fights ever seen in the House, lasting all day, DE ARMOND's resolution was defeated by a strict party vote. How can the Republicans explain this astounding fact, if they were really friendly to the Cuban's in the Fifty-fourth Congress.

Then the gentleman from Texas [Mr. BAILEY], leader of the minority, offered his belligerency resolution, which was also defeated by a strict party vote. Where was the Republican sympathy for the Cubans then?

Later, Mr. BAILEY offered a resolution recognizing the independence of the Cubans, which was ruled out of order; and upon appeal from the Speaker's ruling every Republican voted against Cuban liberty and every member of the minority voted for it.

Also came the celebrated De Lôme letter and the cowardly and brutal destruction of the *Maine*.

Then public opinion became so pronounced, that Republican Congressmen began to get scared and began to urge that the President do something on the Cuban question.

The gentleman from Iowa [Mr. HENDERSON] talks about "kickers." He ought to remember that in January, February, March, and April, 1898, the highest and hardest kickers in Washington were Republican Congressmen kicking against the inaction of the Administration. The gentleman from Kansas [Mr. SIMPSON] conferred upon these kickers the name of "Reconcentrados." They even went so far, if the public press can be believed, as to organize a "Kickers' Caucus." It was repeatedly stated in the papers of the land that the kickers finally numbered 85.

Whatever the number, they demanded that the President do something, and he did. He sent in his first Cuban message, which disgusted a large number of Republicans.

The kickers then kicked so high and so hard, swore so frequently and so vociferously, that they would join hands with the minority, that the President sent in his second Cuban message, which spoke in favor of a "stable" government, but whose only notable feature was a studied argument against Cuban independence.

After two days of wrestling with that message the Republican majority on the House Committee on Foreign Affairs mustered up the courage—no doubt partially urged thereto by the "kickers" aforesaid—to insert the word "independent" into their resolution in spite of the President's recommendation. I have always said, and I say now, that the Republicans on the Committee on Foreign

Affairs deserve great credit for flying in the face of the President in order to do a wise, patriotic, and humane thing. The Republican kickers also deserve credit, perhaps the greatest credit. But what will be the verdict of posterity upon the Administration which had to be driven into a vindication of American honor—into thrashing the Spaniards for murdering 266 of our bravesailors?

The fact can not be stated too often or too emphatically, for it is a great truth of history, that we never would have had any war with Spain if President McKinley had done his simple duty by recognizing the belligerent rights of the Cuban patriots at any time before the destruction of the *Maine*. After that, war was inevitable. If after that Republicans had refused to go to war, there would not have been three dozen of them elected to the Fifty-sixth Congress, and it was this pregnant fact which finally forced the war.

Nor can it be stated too often that at all times and under all circumstances during both the Forty-fourth and Forty-fifth Congresses the minority stood ready to do their duty, their whole duty, to their country and to humanity.

GENERAL GROSVENOR'S COLUMBUS SPEECH.

Against the gentleman from Ohio [General GROSVENOR] I have no personal grievance. If he was an obscure member of his party or of Congress, I would never have alluded to his Columbus speech. But he is not obscure. On the contrary, he is one of the most distinguished members of the House, one of the ablest, grown gray in public service, known of all men and admired and believed by many. Consequently what he says is of vast consequence, especially as it is generally understood that he speaks for the Administration.

Whether he so speaks or not, I do not know, but it is so taken and accepted by millions of people.

That illustrious Irishman, Edmund Burke, once declared it impossible to indict a whole people, but at Columbus General GROSVENOR undertook to indict an entire party—a great party, a historic party, a patriotic party.

The gravamen of his charge is in these words:

When the money has been asked for the suffering soldiers of the Union, nine out of ten of them [he meant the Democrats in Congress] voted "no" on every appropriation bill.

That is a most serious accusation. For the Democrats I enter a plea of "not guilty." I say the charge is false. Nowhere on earth is there a fact on which to rest it or with which to bolster it up. The CONGRESSIONAL RECORD will prove that there is not a syllable of truth in it. Outside of the RECORD I will call but two witnesses—one of them General GROSVENOR himself, the other the Washington Post, which is an ably edited independent paper with a strong bias in favor of McKinley's Administration, and which is decidedly friendly to General GROSVENOR.

Here is a Post editorial which speaks for itself as to that Columbus speech:

It seems to us that General GROSVENOR might have generated enthusiasm in the somewhat perfunctory Republican convention at Columbus, Ohio, last Tuesday without actually going outside the record in order to denounce the Democratic members of the House. We realize, of course, that there is a certain amount of tameness in every party gathering whose work has been cut out for it in advance and as to the nature of whose proceedings and declarations the merest tyro can prophesy with confidence. But surely General GROSVENOR, with his oratorical resources, his fire and dash, his inexhaustible fund of inspiration, and his engaging personality, could easily have thrown a little spirit into the occasion and at the same time refrained from unjust criticism and condemnation of the House Democrats.

Clearly what General GROSVENOR said in this connection will not bear the test of even the most casual examination. Here is an extract from his speech to which we wish to call attention:

"And if you will notice the passage of the \$50,000,000 war emergency bill in Congress it marks the last echo of patriotism of nine out of every ten of those gentlemen. They were willing to gain some sort of popularity before the people of the country by shouting about the suffering reconcentrados of Cuba. But when the money has been asked for the suffering soldiers of the Union nine out of ten of them have voted 'no' on every appropriation bill. They were willing to demand that the President should send his army and his ships to bombard Havana, but when they have been asked to raise the money to carry on the war all but six of them in the House and all but eight of them in the Senate voted 'no' upon every proposition."

It is difficult to form a rational conjecture as to General GROSVENOR's purpose in making this perfectly unwarranted and preposterous statement. No doubt its utterance moved the convention out of its spiritless dejection for a moment, but surely the gallant general is too shrewd a man to have imagined that any useful party end was to be served by such transparent romance. He must have known that explanations would follow, that his arraignment of the Democrats in the House would not live an hour in the respect and confidence of any intelligent human being. He knew at the moment, just as he had known before and knows now, that the House Democrats have not voted against appropriations to carry on the war, to feed and equip "the suffering soldiers," or to do anything else for the honor and glory of the Union. That there were some conflicts of strategy in the preliminary stages of various war measures—certain unnecessary and inopportune displays of leadership and parliamentary tactics—we do not deny; but General GROSVENOR is thoroughly aware that upon every decisive vote the Democrats showed themselves to be quite as patriotic as the Republicans and more than willing to subordinate party advantage or party rivalry to the common cause.

We can account for General GROSVENOR's remarkable utterance only upon the theory that he was carried away by a determination to enthrone the Columbus convention at all hazards, and certainly there were difficulties in the way calculated to call forth his fullest powers. It is inconceivable that he could have intended to misrepresent his fellow Congressmen."

That evidence from the Post, with which the gentleman from

Ohio is a prime favorite, ought to be conclusive; but to be perfectly fair to him, he shall speak for himself.

A DATE TO REMEMBER.

Gaze on that picture and then on this. March 8, 1898, is a date that should be printed in red letters in every almanac and calendar issued in this country from this day henceforth and forever, because that was the day when the House of Representatives voted unanimously to appropriate \$50,000,000 "for the national defense and for each and every purpose connected therewith, to be expended at the discretion of the President." No man thought of his party. Every man thought only of his country. By something approximating a miracle, even General GROSVENOR for a few, brief, fleeting moments, undoubtedly the most glorious of his long and checkered career, seemed to have his heart touched by the divine flame of patriotism and apparently rose above the mere partisan. Read his speech when on that glorious day he was speaking for applause in a crowded house.

ONE GENEROUS MOMENT.

Here are some of his remarks on the memorable 8th of March:

"Mr. Speaker—

"Saxon and Norman and Dane are we,

But we are all of us Danes in our welcome to thee."

"Thus spake the heart of the great British public through the magic song of her poet laureate when the daughter of the great sea king of the north came to her shores. Democrats and Populists and Republicans are we, but we are all of us true to the flag of our country to-day.

"No more inspiring picture can be witnessed anywhere on earth than the demonstrations which we have seen during the last thirty, sixty, and ninety days of the power of a great people, a free Government, not only to stand for the flag of their country, the unity of the Government, the supremacy of the Constitution, but also because of their dignity and calm exhibit in the face of the world."

Now, as the Democrats and Populists had been doing about all that had been done up to that time in the "cause of humanity," it is reasonable to assume that the general was throwing most of those bouquets to them. But that is not all. Amid thunderous applause, which must have warmed the cockles of his heart, the old soldier fairly yelled, "It will be worth more than \$50,000,000 to the American people to know that the great heart of this people is a unit in favor of the Government."

Now, there you are. There's General GROSVENOR's certificate of patriotism for Democrats and Populists blown, if not in the bottle, at least into the CONGRESSIONAL RECORD. Still he wasn't through fraternizing and jubilation. He kept up the same lick as follows:

"I have long thought it was possible that war might be a benefit to our country in this respect, but the demonstration of the last thirty days and its culmination, which is to take place in this Capitol to-day and to-morrow, take the place, in the judgment of mankind, of war as an evidence of the unity of a mighty nation. How magnificently has this duty been approached and performed! A doubt about the American people!"

No pen can describe the scorn depicted on his face as he glowered at the imaginary doubters of the enthusiastic loyalty of all our people. Then, continuing, he exclaimed in a fine burst of eloquence:

"How magnificent it is! I said some days ago here that I longed to live until I knew that this people was a united people. Thank God I have lived to see the hour come, the day dawn, the sun of unity arise and shine, and universal loyalty the watchword of every man, woman, and child."

I not only applauded these patriotic sentiments, but pinched myself to see if I were awake or if it were only a splendid dream. Here was a man, grown old in doubting the patriotism of everybody but himself, proclaiming over and over that all our 75,000,000 people—not a man, woman, or child missing—were burning up with patriotic zeal. I felt like singing "Nunc Dimittis." I thought that as the gall of General GROSVENOR's heart had been converted into the milk of human kindness surely the millennium was about to dawn.

CHANGE OF HEART.

That is what the gentleman from Ohio said March 8, 1898, but—

On April 7 he fell from grace and declared that the war would be a Republican war—an utterance which can be established by hundreds of ear witnesses—though the declaration was "toned down" in the RECORD. The New York Sun, a radical Republican newspaper, jumped him for so declaring, and said:

The most useful service which the Hon. CHARLES HENRY GROSVENOR of Ohio can render the country at this critical time is to get up in the House and ask Mr. Reed to recognize him for a personal explanation. If he is recognized, he should then proceed personally to explain that when he remarked in the House of Representatives on Thursday, April 7, that "this war will be fought under the banner of the Republican Administration of this Government or it will not be fought at all," he did not mean to be understood, as he certainly has been understood by certain patriotic Democrats in Congress, that this war is to be a Republican war. Let General GROSVENOR stand up like the man he is and state the exact truth. If this war is to be fought at all, it will be fought under the flag of the United States. General GROSVENOR can do his country and his Administration this great service. Will he volunteer?

HIS RESPONSE.

In response to this urgent invitation of the Sun, General GROSVENOR on the 10th of April spoke in the House as follows:

My purpose, Mr. Speaker, was not to intimate that the Democratic party of this country was not as loyal to the country as was the Republican party, and I had taken occasion to state earnestly at the time of the passage of the \$50,000,000 emergency bill my unqualified indorsement and, indeed, my profound delight at the record of the Democratic party with reference to it.

And now, if it is necessary, Mr. Speaker, and I certainly think it is not, I will say that I believe this war will be as energetically waged, both in the machinery necessary to carry it on and the response to the call for arms by the Administration, by the Democrats and by the Populists as by the Republicans, and especially do I believe that the response of patriotism will come from every Southern State, from every ex-Confederate soldier who is capable of bearing arms, and will be joined in by one triumphant echo of victory among the people of the South and by the loyal men who wore the blue.

This peroration was received with "loud and prolonged applause."

Now, surely, it can not be true that the men of whom he spoke such glowing words and upon whom he showered such gorgeous compliments in March and April had all turned traitor by June. No sane man will believe it. So firm am I of that opinion that I am perfectly willing to submit the matter on the foregoing statements.

As to the Philippine question, I hereby quote, as expressing my

matured convictions, an article which I recently wrote for The Conservative Quarterly Review of this city:

"AMERICAN POLICY OF EXPANSION."

It is amazing how implicitly a fallacy skillfully clothed in words is accepted by even well-informed persons and how tenaciously they cling to it. Shakespeare propounds the question:

"What's in a name?"

And then answers it himself by saying:

"A rose by another name would smell as sweet."

His dictum is correct as to the aroma of the flower, but his idea that there is nothing in a name, though almost universally taken as true, is flagrantly erroneous. There is much in a name. A name may make or mar a policy. A name may give life or bring death to a party.

The high protective tariff owes its long lease of life on this continent largely to the fact that Henry Clay, without warrant of truth and contrary to all history, bestowed upon it the fascinating title of "The American System," although the system had existed for centuries before Christopher Columbus turned his prow westward in search of a new world. It was hoary with age before there was any America to have any system upon any subject or of any kind; but the immortal Kentuckian, and after him divers imitators, rallied the people again and again successfully and enthusiastically to that "system," denouncing those who opposed it as "un-American." The cry of "the American System," to borrow an euphuism from Thurlow Weed, proved to be "a good enough Morgan" for many a campaign.

The early demise of "The Native American Party" was unquestionably hastened by reason of the ridicule heaped upon its members under the proposterous name of "Know Nothings." Scores of other instances might be cited, but these must suffice to show that there is something in a name, the Bard of Avon to the contrary notwithstanding.

"To expand or not to expand," is the question now peering every mind. "Expansionists," "Anti-Expansionists," "Hold-Downers," and like names are becoming familiar to American ears.

I am not certain but that by appropriating, and being permitted to appropriate the title of "Expansionists," the Pro-Philippine party in this country have gained a great tactical advantage, one which may prove to be hurtful to the country; for no man of patriotism and good sense is opposed to "expansion" on safe lines and in proper directions. No man of patriotism and sound discretion is in favor of "expansion" on all lines and in all directions.

Propound the blunt question: "Are you an expansionist?" to the average American citizen, and he will not be willing to answer yes or no without qualification.

In his first inaugural address Thomas Jefferson uttered a great truth, when he said: "We are all Federalists; we are all Republicans." So I take it that on general principles we are all "Expansionists," we are all "Anti-Expansionists."

Once during reconstruction days two unsavory characters from the South were contesting for the same seat in Congress. Somebody said to Thaddeus Stevens: "They are both rascals." "No doubt," growled old Thad, "but which is our rascal?" Asked as to whether I am an "Expansionist," in like spirit I would inquire: "An Expansionist about what? An Expansionist in what direction?"

THE NORTH AMERICAN BRITISH POSSESSIONS.

If a proposition were pending—as it will be some day—as to expanding by annexing all of the North American British possessions, I would be an enthusiastic "Expansionist" for various cogent reasons: (1) They are contiguous territory; (2) The people are of our blood and habituated to institutions similar to ours; (3) Annexation would give us a natural frontier north, east, and west; (4) It would forever remove us from the neighborhood of Great Britain—the most quarrelsome and covetous nation on the face of the earth.

I would not have one drop of blood spilt, or one tear shed, or expend much money to acquire these British possessions, for it is written by the finger of fate on the scroll of destiny that they will finally be ours. All things come to him who waits, and our neighbors beyond the St. Lawrence and the Great Lakes will, in the fullness of time, be our fellow-citizens.

THE PHILIPPINES.

But when it comes to expanding by taking into our possession some two thousand Asiatic islands in the tropics, inhabited by savages, removed by 10,000 miles from our seat of Government, and by 7,000 miles from the remotest confines of the Republic, I am a thorough Anti-Expansionist.

Thomas Carlyle, the gruff old Scotchman, once declared that there never had been an argument advanced against the repeal of the English corn laws that would not make the angels weep by reason of its sheer ridiculousness. It is really a pity that his grim spirit can not revisit the glimpses of the moon long enough to hear a Philippine expansionist deliver a speech. His opinion of such an oratorical performance would make what Horace Greeley would have denominated "Mighty rich reading," and would contribute largely to the "gaiety of nations."

A man, apparently sane upon every other subject, becomes mad as a March hare the moment he touches that fatal theme.

The wisdom of the fathers is acouted. Their solemn warnings are held for naught. They are said to have been good enough to create a government and legislate for thirteen young, feeble, inchoate States, but they had their day; they are out of date; they are insufficient for the fin de siècle statesmen now on the boards, who dream of an empire and who are hungry for world politics.

Consider the soaring presumption of the men who think that George Washington, Alexander Hamilton, and old John Adams, Thomas Jefferson, John Marshall, and James Madison, were fit only for a small country in a rude age, and in the same breath arrogate to themselves the wisdom to legislate for "all the nations of the earth and the rest of mankind," as General Zachary Taylor remarked in his only annual message to Congress.

The entire history of the human race, including our own glorious history for more than a century, counts for absolutely nothing with these far-seeing statesmen. The safety of the Republic, the perpetuity of our institutions, the happiness of our posterity through all coming time are all to be jeopardized in a reckless venture in which we have everything to lose and nothing—absolutely nothing—to gain.

Benjamin Disraeli described one of his reform bills as "a leap in the dark." I wonder what the marvelous Jew would call this astounding performance into which we are being hurried.

POLITICAL MISSIONARIES.

We are dippantly told that it is our duty to carry the blessings of liberty to these people. I deny the proposition. It is not true. It is our duty to attend strictly to our own business. Nobody commissioned us to go forth like Don Quixote in quest of ventures. Suppose we start out on the theory that we are to force our ideas of government upon all nations which we think need improvements in their modus vivendi, where shall we begin and where shall we stop? Why cross the Pacific to try our first experiment? Why not rather save transportation expenses, at least, and force a stable government upon the five little quarrelsome, revolutionary Central Amer-

ican republics? We might practice upon them until we get our hand in. We might force them to settle down to a steady gait by the time our great grand-children are in public life. Having reduced our bellicose neighbors to a comatose condition, if we are still bent on doing political missionary work with the rifle and the bayonet, we might proceed to take the inconstant South American republics through a course of sprouts. It would probably require some two or three generations to thrash them into an adequate comprehension of their inalienable right to life, liberty, and the pursuit of happiness. If by that time any of us survive the fevers, bullets, and swords of our South American friends, we might give the Russians, Turks, and other monarchists a few lessons. There is no end to such crazy work, except the grave.

We are told that we have always been expansionists, and in confirmation of this proposition we are cited to the Louisiana Purchase, the Florida Treaty, the Annexation of Texas, the California Acquisition, the Gadsden Purchase, and the purchase of Alaska. Yet not one of these upholds this Philippine performance.

Every country needs a natural frontier. That necessity accounts for every acquisition above mentioned, except Alaska, which, as everybody knows, was purchased of Russia as a matter of gratitude to her for unfaltering friendship to the National Government during our titanic civil war. Russia had Alaska for sale, and the powers then in Washington appeared to think that we could do nothing less than buy that large slice of the Polar region at Russia's own price, nobody then dreaming that it would ever be considered either valuable or habitable.

In passing it may be remarked that, it has never yet been demonstrated that Mr. Seward's much-vaunted land transaction has been of the least benefit or service to the American people or to the cause of human freedom. Some fisheries have been established; some sealskins have been taken; some gold mines have been discovered; some corporations have been made money; but, on the other side of the ledger, are the lives of some forty or fifty thousand of our young men—the very cream of the human race—who perished there in quest of the yellow metal; and who shall compute the value of those lives—the lives of an army greater than that with which Washington won the independence of his country?

But, barring Alaska, which ought not to count, and which does not count, in the minds of reasoning people, every foot of the land above mentioned was acquired for the purpose of securing a natural frontier. When Jefferson wrote the fateful sentence, "The Mississippi must flow unfettered to the sea," he was stating the natural frontier proposition in a unique manner. In that sentence is the kernel of our policy of expansion up to the new departure of annexing the Hawaiian Islands. But, having acquired the afore-mentioned areas of land, we had achieved a natural frontier everywhere except on our Northern line; and, from a day antedating the ill-starred expedition of Montgomery and Arnold to Quebec, it has been the dream of our statesmen and soldiers to "round out" our geography and complete our natural frontier by securing the North American British possessions.

Even the acquisition of Cuba might fit in the shadow, if not the substance, of justification on the ground of "natural frontier." If we were not solemnly pledged by resolution of Congress not to grab it as a result of the war with Spain, it will probably gravitate into the Union naturally and voluntarily "in the course of human events."

SWIFT GAIT.

First and last we have heard a vast deal of the marvelous rapidity with which things have changed in the last hundred years. We plume ourselves exceedingly upon the steam engine, the electric car, the telegraph, the telephone, and kindred inventions, which have, as we say in our blervations, annihilated time and space. We are even looking forward eagerly, hopefully, and impatiently to the appearance of the flying machine, so that we may cleave the blue ether after the manner of our own bald eagle.

But, after mature deliberation, I am persuaded that the most astounding evidence of the swiftness of movement in our age is the growth of expansion sentiment in America as manifested in the apparent strength of the proposition to annex the Philippine Islands in any way or for any purpose whatsoever.

We have always boasted that we belonged to the most conservative race in the world; and yet, judged by the revolution of public opinion on this subject which has taken place within the last year, we are a more mercurial people than the French, at whose antics, crises, and gyrations we have laughed for generations.

If twelve months ago any man had arisen in either House or Senate and declared that we should annex these islands, he would have been with an accord pronounced *non compos mentis* and a fit subject for the strait waistcoat, padded cell, and gruel diet of a lunatic asylum. Now, so astounding has been the change which has come over the spirit of our dream, this preposterous and suicidal proposition is supported with enthusiasm, and even intolerance by many men eminent in public life; distinguished for their splendid talents; strong in the affections of the people, and beloved by reason of their services to their country. Some of the wildest of these propagandists of a new gospel are men who hitherto have been rated among the most conservative of our statesmen. Students of human nature and experts in psychology must marvel at this amazing phenomenon. What subtle poison is working in the blood to produce a result so puzzling and so contradictory of our history and traditions? The evil one himself must have laid a spell upon the American mind for the purpose of luring to its destruction this great Republic, the last hope of constitutional government on the whole face of the earth.

The land hunger, which is the propelling force in this inexplicable revolution in public opinion, grows with what it feeds on. Hawaii was the "appetizer" for the full meal of innumerable courses. That homeopathic dose of annexation was like the first drink to a man with a latent but abnormal thirst for *spiritus frumenti*. When in the debate upon the proposition to add those leoprous islands to our possessions it was suggested that that was only the beginning of a scheme of universal imperial aggrandizement and territorial expansion the idea was rejected with scorn and spurned as utterly unworthy of consideration. Nevertheless, the men who then prophesied that such would be the case were correct; for many who were then loudest in declaring that the annexation of Hawaii did not presage further acquisitions and who most solemnly protested that we would be fully satisfied by grabbing "the Gibraltar of the Pacific" so called, are now the most voracious in advocating annexing two thousand islands in Asiatic waters, inhabited by nine or ten millions of Malay savages, who have not advanced to the breech-clout stage of civilization.

In July, 1898, Hawaii, "the Pearl of the Pacific," was solemnly asseverated to be the *acme plus ultra*, the *ultima thule* of our hopes and aspirations as land grabbers. In January, 1899, our covetous eyes are fixed upon the uttermost ends of the earth. In the dog days of 1898 we absorbed Hawaii, under the pretense that we needed it for defensive purposes; in midwinter, 1899, we, like roaring lions, are going about the Orient seeking whom we may devour. When we declared war against Spain, we invoked the favorable opinion of the nations of the earth as to our good faith and disinterestedness by ceremoniously and solemnly proclaiming from the house tops by resolution of Congress that we were not meditating any act of land grabbing; now we are out-Heroding Herod by taking unto ourselves an Asiatic archipelago on the

other side of the globe. But yesterday, we were a happy, conservative, self-contained people; to-day we are the most feverish, reckless, ambitious adventurers known among men.

At the beginning of last year we were at peace and desirous of remaining at peace with all the world; now we are swaggering all over creation, with a chip upon our shoulder, inviting somebody or anybody, except England, to knock it off. In the closing days of Cleveland's last Administration the heroic Spirit of Seventy-six flamed up, and we were ready to beard the British lion in his den over the Venezuelan question; now we are proud to be called "his whelps," and instead of twisting his tail after the fashion of the elder time, we tenderly fondle his mane and propose going man hunting and land hunting with him. When we celebrated the Christmas of 1898, we were in a position as free from danger of quarrel as any nation that ever existed; now we are thrusting ourselves into a hazardous and unnatural position in which wars and rumors of wars will murder sleep and forever destroy our peace of mind. The historian of our times will be compelled to tax his ingenuity to the utmost in order to explain this most wondrous transformation which has swept veteran statesmen off their feet, overthrown the traditions of a century, reversed the history of a mighty people, and thrown a President into hysterics.

HOWARD'S MOT.

Happy the man who can express a great truth in a few words. Such a one is my friend and colleague on the Committee on Foreign Affairs, Hon. WILLIAM M. HOWARD, of Georgia, who possesses a rare judicial mind. Not long since he said to me: "Hawaii was the Thermopylae of this contest about expansion;" and he was right. He might have talked for an entire week, but he could never have stated the case more forcibly. He told the whole mournful and disastrous story in precisely nine words.

When the anti-expansionists lost that fight, they lost all. That was the first hole in the dike which let in the sea; the thin edge of the wedge which split the log; the tiny spark which exploded the entire magazine. Many of the men who voted for that grab, protesting that they were not expansionists on general principles, are now shouting for the Philippines. There never was a case in which more fully appeared the wisdom of the Scripture, which says: "And whosoever shall compel thee to go a mile, go with him twain."

The jingoes went 2,000 miles to grab the Sandwich Islands; now they go 7,000 to grab the Philippines. As it is only 25,000 miles around the world, we may expect at this rate to circumnavigate the globe in our new employment of land grabbing by the time the bells ring in the new year and the new century. If many men who are now holding up their hands in holy horror against annexing the Philippines had not pocketed their convictions and chloroformed their consciences last June in order to enable them to swallow the Hawaiian Islands, Kansas, Chinese, Japanese, lepers and all the rest, there would now be no Philippine question to vex their pious and patriotic souls. But these sleek timeservers desired to stand well at court, to be welcome at the White House, to take in the Presidential sunshine, and to receive their quantum sufficit of the loaves and fishes. The grateful savor of the fleshpots was too much for their weak heads and yearning stomachs. They wanted to be in the swim and to float with the tide—always a pleasant if not heroic course.

Now, they are anxious to repeat the condemned performance of locking the barn securely after the horse is stolen and play the lachrymose rôle of Jeremiah amid the jeers of men. When they might have served their country and the cause of human liberty with some effect, they would not; for we needed only a little help in season to have blocked the dangerous game entirely. That was the accepted time to kill jingoism; that was the day of salvation from all the perils and expenses to be entailed by a dazzling colonial policy and a vast colonial establishment. Waterloo was lost at Quatre Bras; the Philippines and all other outlying islands were annexed when Hawaii was let in. It would be easier to-day to persuade a majority of both Houses of Congress to take a hand in the partition of China than it would have been a year ago to induce them to tack the Sandwich Islands onto our country. The jingo bacillus is doing its work effectually.

The mill will never grind again with the water that has passed.

Charles Stewart Parnell, the great Irish orator and statesman, truly said: "Opportunity is a horse, bridled and saddled, which stops at every man's threshold once in a lifetime. Be ready, mount, and he bears you on to success and honor. Pause but a moment, he is gone, and the clatter of his iron hoofs, echoing down the corridors of time, will forever remind you of what you have lost."

There comes a critical moment in every battle and in every enterprise decisive of the results.

Pompadour Jim Corbett had Bob Fitzsimmons going in the seventh round at Carson City, but he failed to seize the golden opportunity, and half an hour later came the blow on his solar plexus, and he was ex-champion of the world.

"Kid" McCoy had Thomas Sharkey on the direct road to the Land of Ned in the third round of their engagement. One more punch would have done the work for the burly ex-sailor, but it was not delivered, and the young Hoosier prizefighter received a beating which he will not forget should he live to the great age of Methuselah.

William Makepeace Thackeray, the very prince of writers of English prose, tells of one critical moment in the history of Great Britain. In his Four Georges, after giving a highly entertaining, if somewhat ludicrous, account of the landing of George the First at Greenwich pier, at that illustrious and lucky monarch was proceeding "to ascend the throne of his ancestors," the genial novelist thus philosophizes on the crucial point in the life of a puissant nation:

"As one thinks of what might have been, how amusing the speculation is! We know how the doomed Scottish gentlemen came out at Lord Mar's summons, mounted the white cockade, that had been a flower of sad poetry ever since, and rallied round the ill-omened Stuart standard at Braemar. Mar, with 8,000 men, and but 1,500 opposed to him, might have driven the enemy over the Tweed and taken possession of the whole of Scotland, but that the Pretender's Duke did not venture to move when the day was his own. Edinburgh Castle might have been in King James's hands, but that the men who were to escalate it stayed to drink his health at the tavern, and arrived two hours too late at the rendezvous under the castle wall. There was sympathy enough in the town. The projected attack seems to have been known there. Lord Mahon quotes Sinclair's account of a gentleman not concerned, who told Sinclair that he was in a house that evening where eighteen of them were drinking, as the facetious landlady said, 'powdering their hair' for the attack on the castle. Suppose they had not stopped to powder their hair? Edinburgh Castle and town and all Scotland were King James's."

"The north of England rises and marches over Barnett Heath upon London. Wyndham is up in Somersetshire, Packington in Worcestershire, and Vivian in Cornwall. The elector of Hanover and his hideous mistresses pack up the plate and perhaps the crown jewels in London, and are off via Harwich and Helvoetsbuys for dear old Deutschland. The King—God save him!—lands at Dover with tumultuous applause; shouting multitudes, roaring cannon, the Duke of Marlborough weeping tears of joy, and all the bishops kneeling in the mud. In a few years mass is said in St. Paul's; matins and vespers are sung in Yorkminster, and Dr. Swift is turned out of his stall and deanery house at St. Patrick's to give place to Father Dominic, from Salamanca. All these changes were possible then, and once thirty years afterwards; all this we might have had but for the pulveris exigui jactis, that little toss of pow-

der for the hair which the Scotch conspirators stopped to take at the tavern."

WHITHER?

There is an idea, common among men, which is peculiarly applicable to the proposed scheme for annexing, acquiring, or absorbing the Philippines and Filipinos, and which has been formulated in various modes and with varying degrees of elegance and emphasis. It finds form in the Scriptural command: "Be ye not unequally yoked." St. Paul says, "Evil communications corrupt good manners." Again we read, "You can not touch pitch without being defiled." The old saw hath it, "Lie down with dogs and get up with fleas," while in Locksley Hall, in finest poetry, Lord Tennyson expresses the same thought in these words:

"Is it well to wish thee happy?—having known me—to decline
On a range of lower feelings and a narrower heart than mine!
Yet it shall be: thou shalt lower to his level day by day.
What is fine within thee growing coarse to sympathize with clay.
As the husband is, the wife is: thou art mated with a clown,
And the grossness of his nature will have weight to drag thee down."

I have often wondered within the last few months whether we can escape the operation of the natural law voiced in the above quotations; whether we will pursue to the end our high career, or whether, if we enter upon this scheme of boundless expansion and universal land grabbing, we will not go the way all nations have gone before us; That is, lift up these inferior races a little and be pulled down a great deal ourselves.

OUR DUTY.

I take it that our duty to ourselves is our first duty—our supreme duty. It sounds magnificent and philanthropic to talk about civilizing all the nations of the earth, but it can not be done. The leopard can not change his spots himself, and we can not change them for him. No more can we teach certain breeds of people to labor and not to fight. A civilized person is apter to lapse into barbarism by associating with savages than the savage is to be civilized. Take a young blanket Indian, give him all the college education possible, teach him to wear the garb of civilization, then let him return to his own people for twelve months, and he will discard the remnant of the pale face and resume his blanket under an impulse too strong to be resisted.

SHAFTER'S BLOODY PLAN.

We have tried for three hundred years to civilize the "noble red man" and, after all, we are forced to reluctantly accept General Sherman's conclusion "that there is no good Indian but a dead Indian." Have we any assurance whatever that our new Malay fellow-citizens will prove any more tractable than the natives of this country—the natural lords of the soil?—Indeed, if the public prints are to be believed, that renowned and rampant expansionist, Gen. William R. Shafter, recently declared in a church—mark you, in a church—that if he had his way he would begin by shooting one-half of the Filipinos, and then civilize the other half. The General's carmine remark needs a diagram, so that people may know which half he proposes to exterminate. Will he shoot the men and spare the women? Slay the adults and let the children live? Or vice versa? We read of bloodthirsty tyrants who have decimated conquered peoples; but I am rather inclined to believe that the freshly laureled hero of Santiago is, if correctly reported, the first to propose to kill off one-half the inhabitants of any country. His remark almost equals Caligula's famous wish that the Roman people had only one neck, so that he could decapitate them all by a single stroke of his sword, instead of wearing his imperial arm by beheading his loyal subjects one by one. General Shafter should consider the fate of Caligula and remodel his theory. Has he considered what a monumental job it would be to shoot five millions of human beings? Why are we to shoot them at all? What harm have they done us? Are they to be butchered in cold blood simply because they refuse to accept our ready-made blessings of liberty? And was not a church dedicated to the worship of Jesus Christ—the Prince of Peace—a peculiarly unsuitable place for General Shafter's ferocious utterance? If Shafter is a fair example of the Christian soldier in the closing days of the nineteenth century, what becomes of that song of the angels, "On earth, peace, good will to men?" If the General continues talking in that strain he is liable to go down in history with Herod, "Bloody" Jeffreys, and "the Butcher of Culloden."

I am prone to believe that General Shafter was incorrectly reported, for such a blood-curdling programme is consistent with neither sanity nor ordinary humanity. I have seen the General thrice, shaken hands with him twice, heard him speak once, and he appeared to me to be as mild-mannered man as ever wore a shoulder strap. That he should favor the crimson horrors of slaughtering these lazy, lotus-eating Malays by the million is difficult of belief. Only think of it! For a century people have stood aghast at the cruelties of the French revolution, and the names of Robespierre, Danton, and Marat, the horse-leech, are universally execrated. They are by common consent "damned to everlasting fame." Yet, it is said, that only three thousand people were guillotined during the Reign of Terror. What are they to compare with five million of luckless Filipinos, who are to unceremoniously be shot in order that we may enter upon the glorious and self-imposed task of civilizing the rest? True, that among the heads that fell into the sawdust during the wild dance of death at Paris, were those of Louis Capot his wife, Marie Antoinette, Philip Egalite, Countess Lamballe, and other aristocrats and bigwigs. But I think the fact will be ascertained to be that General Aguinaldo will not enjoy having his head cut off any more than did Louis the Locksmith, and what is more, he will be more disposed to fight to keep his noggin on his shoulders than was the Bourbon King.

In this connection it may not be considered impertinent to inquire how many American soldiers the Filipinos will butcher while we are killing five millions of them, for, from what we know of them, they are not likely to meekly permit themselves to be led to slaughter.

A DILEMMA.

One of two things is absolutely true. The Filipinos are either fit for self-government or they are not. Jingos must take one horn of the dilemma or the other, and whichever they take they will be impaled upon it. In neither event do we want them. If they are fit for self-government, under what pretext can we refuse them the right? If they are unfit, how can we justify ourselves to ourselves for incorporating them into our body politic?

Vaunting ourselves as the originators and proponents of the doctrine that "Governments derive their just powers from the consent of the governed," how shall we escape the scorn of despots if we force these people vii armis to become American citizens?

Even if they were clamorous to take shelter beneath our flag, we are under no obligation to annex them, for surely no man in his sober senses will for one moment contend that we must receive all who knock at our doors for admission. It would be just as reasonable to say that a man is in duty bound to entertain in his home every person that might come unbidden to his house, or that a woman should be compelled to marry any suitor that laid his heart and fortune at her feet, however repulsive he might be.

THE COST.

The main point of view of any proposition for the average American citizen is that of dollars and cents; for we are an intensely practical people—that is, we claim to be—and if in this age of commercial politics we have any fetish

to worship, it is the almighty dollar. When I was a child down in the hill country of Kentucky, I heard an old country doctor say that the most sensitive nerve in the human body is the nerve leading to the pocketbook, and judging from the surface indications of the times in which we live, I am constrained to believe that this rude disciple of Esculapius was correct in his diagnosis. Iago's sordid advice to Roderigo, "Put money in thy purse," appears to be generally accepted by the American people. Judged even by this low standard of money-getting, the Philippine acquisition bids fair to lead us into bankruptcy. To begin with, according to the estimates of the most conservative authorities, the increased cost of the standing Army to hold our savage fellow-citizens in subjection will be \$30,000,000 annually. In addition thereto, in order to hold our own in Asiatic waters, we are told that we must establish the greatest navy in the world.

This proposition sounds grandiloquent and makes an almost irresistible appeal to the towering pride of the American people. Stated in plain figures, however, it may somewhat dampen the ardor of our taxpayers when they are invited to go upon this wild goose chase. Great Britain has eighty first-class ships of war—five hundred and eighty-one warships in all. France has fifty first-class war ships and four hundred and three all together. Nicholas of Russia has forty first-class battle ships at his command and two hundred and eighty-six in the aggregate. By a word, William of Hohenzollern can set the machinery and guns of two hundred and sixteen war ships going, twenty-eight of them battle ships of the first class. Japan now almost equals Germany and will soon eclipse her in strength of her naval armament. At the present time we have only eighty-one war ships all told, only eighteen of them being of the first class. Counting the difference of distance from the base of operations in Asiatic waters, the real effective fighting strength of the United States must be reduced at least one-half. In any fair estimate concerning any struggle involving our possession of the Philippine Islands in the future it would be prudent to count all the above-named nations, except England, and several which have not been named, as against us. Temporarily we might count on Great Britain as our ally; permanently, we must tread the wine press alone, and count all the rest of creation as against us; for Johnny Bull, in all human probability, will prove to be only a sunshine friend to Brother Jonathan.

Therefore, in order to maintain our supremacy in the Orient with anything like certainty, we ought to have a navy equal in number of ships and weight of metal to the combined navies of the world, which would involve the building of something like 2,000 war ships, over 300 of them battle ships of the first class. But taking it for granted that in order to maintain our supremacy we will be compelled to build a navy equal to that of Great Britain alone, we would then be compelled to build 500 new war ships, 62 of them battle ships of the first class. As a modern battle ship of the first class costs, when fully completed and furnished, somewhere in the neighborhood of \$5,000,000, we would have an initial outlay on our navy alone of \$310,000,000 for first class battle ships, to say nothing of the cost of inferior craft. The project to expend this much money upon our navy to begin with shows how far we have departed from Jefferson's theory, that we should have no possessions that would require a navy for their defense. In this connection let it be remembered that England spends \$70,000,000 on her navy annually simply to maintain it. Evidently Galileo was correct when he asserted that the world does move.

The above estimate for the increased cost of the standing army is made upon the untenable theory that we will have no use for a standing army except to hold our new fellow citizens in subjection, conferring upon them the blessings of liberty at the point of the bayonet, for, just as certain as water runs down hill, if we enter upon world politics we will also enter upon world quarrels and world wars. I am patriot enough to believe that man for man ours is the best army and navy in the world, but if we are going into world politics, and propose to take a hand in world squabbles, we will be compelled, in the very nature of things, to not only maintain a navy equal to the greatest navy of any other nation of the world, but also to maintain an army equal or superior to the greatest army of any other nation on earth. Here are the cold facts regarding the land armaments of some of the great powers. Germany's army on a peace footing numbers 562,332 men; on a war footing, 3,000,000, while the Government is clamoring for a large increase. The peace establishment of France calls for 615,413 men; on a war footing, 2,500,000. Russia's peace establishment is 750,944 soldiers, while on a war footing 2,510,143 subjects of the Czar are supposed to shoulder their muskets and buckle on their swords.

Let the hard-worked taxpayers of the land, who can now hardly make buckie and tongue meet, seriously ponder their condition when they are called upon to meet this enormous expenditure of money by land and sea. The bait held out to them is the increased commerce which we are to experience, and of which we are to reap the benefits. The hollow fallacy of this theory is clearly demonstrated when it is stated upon Government statistics that the entire foreign trade of the Philippine Islands in the last year amounted to barely ten million dollars, so that if we secured the entire trade of those islands, and every dollar of that trade were clear profit—which, of course, is preposterous—we should still fall twenty million dollars short annually of gaining enough to pay the very modest estimates for the increase of the standing army, to say nothing of the enormous increase of taxes necessary to build the finest navy in the world. The proceeds of the entire foreign trade of the Philippine Islands in the last year, if it were all clear profit, would only amount to enough to build two first-class battle ships.

Upon the whole, it is safe to say that from a purely commercial and financial standpoint, if our Uncle Samuel undertakes to hold the Philippines permanently, in less than ten years he will be under the necessity of making an assignment, for since Julius Cæsar rode at the head of his victorious legions there has not been enough money coined in all the mints of the world to maintain our supremacy in the Orient for a quarter of a century.

There is still another feature of the financial view of this case, which I modestly commend to the profound consideration of our exuberant jingoes, and that is this: To hold the Philippine Islands will require the lives of 20,000 American soldiers annually, the very flower of the youth of the land. The corporations of this country, for their own benefit, have had the value of the average human life fixed at \$5,000, which is entirely inadequate. The true rule for computing the value of a human life ought to be to multiply the reasonable annual salary of the deceased by the number of years he has to live according to the approved life tables; but taking it on the low basis fixed by the legislatures of the States at the behest of the corporations, 20,000 human lives, at \$5,000 each, would amount to the astounding total of \$100,000,000 annually; but even this enormous sum would represent only a small portion of the financial loss to the United States by reason of the death of her soldiers in the Philippine Islands, for, judging by past experience, it is perfectly safe to assume that for every two soldiers who died in the service of their country at least one pensioner would be billeted on the public treasury.

The minimum pension under our laws by reason of death is \$36 per year, and the average life of a pensioner is something like twenty-five years, so that for every soldier who dies, in addition to the \$5,000 money loss which the Government sustains by reason of his death, there is a contingent loss in the shape of pensions amounting to at least \$2,500; so that the prospect of supremacy in the Philippine Islands also presents the prospect of an appalling sacrifice of human life and a financial drain which no nation on earth can long endure. A war between us (even with Great Britain as our ally) and the

other nations of Europe would load us up with a bonded debt the payment of which would enslave our children to the fifth generation. Surely, sensible men, of whatever party or creed, will reflect long and prayerfully before they take a header into this bottomless abyss.

GREATER EVILS.

But even the financial ruin above foreshadowed pales into utter insignificance when compared with the immense damage which will be done to our institutions in other ways. There is not a solitary man whose opinion is at all worth considering who believes that out of the ten million inhabitants of the Philippines there is even one human being fit for American citizenship. The thing is an impossibility in nature. Even the most rabid and enthusiastic pro-Philippine advocate dares not uphold the theory that sovereign States of the Union are to be made out of these islands, either now or hereafter. If this is not to be done, then clearly, if we are to hold them at all we are to hold them as colonies or dependencies, to be ruled by the sword and the sword alone; this means that we are to appoint continually a brood of pro-consuls and military satraps and send them forth poor as Lazarus at the rich man's gate, to return to us lawless nabobs to corrupt our manners and our institutions by wealth wrung from an alien, a servile, and a helpless people.

THE OVERSHADOWING DANGER.

Still another feature must give pause to rational beings before they will consent to this stupendous revolution in the conduct of our affairs, and that is the overshadowing danger to our free institutions, from the existence of a large standing army, against which all of our patriots and sages, from Washington to the present hour, have warned us. Congress may pass all the laws it pleases constituting this new standing army, an army of occupation for the Philippine Islands, and prescribe all the penalties its ingenuity may devise against bringing these troops to the United States or retaining them here, but the fact remains, nevertheless, that a resolute, ambitious, unscrupulous man in the White House may within ninety days, while Congress is not in session, transport fifty thousand regulars from the Philippines to overawe the electors and to overthrow the Republic.

It is useless to say that no such man has ever sat in the Presidential chair. All history teaches that in every age and in every clime, whenever the opportunity for seizing supreme power has presented itself, a man with nerve great enough and conscience little enough to profit by the occasion has promptly put in an appearance upon the scene of action. Philip of Macedon, Cæsar, and Napoleon were not mere freaks of nature, but were types of a class. Conditions similar to those which produced them will also produce their counterparts. It is an old saying that an ounce of preventive is worth a pound of cure, and unless we desire to become slaves we would do well to refuse to place the means of our enslavement in the hands of any man.

THE CONSTITUTIONAL QUESTION.

A great many patriotic American citizens, including some of the very best lawyers in the land—notably, ex-United States Senator George F. Edmunds, of Vermont, whose prodigious ability has been freely admitted for a third of a century—object to this Philippine project on the ground that the Federal Government has no constitutional right to acquire territory except for the purpose of making States of it. Indeed, the Supreme Court of the United States decided that very point in express terms against the jingo theory.

The bare mention of the Constitution, however, the simple suggestion that such a document exist, the slightest intimation that anybody is bound by its provisions, appears to have had the same effect upon the pro-Philippine jingoes that a sight of water has upon a dog suffering from rabies. They snap and snarl and bite. They ridicule the Constitution and revile those who are sufficiently old-fashioned as to believe in it, as though they had committed the unpardonable sin. A howl of derision has gone up among the jingoes from sea to sea at the idea that the Constitution should stand in their way—thwart any ambition they may cherish or forbid any job which they may be incubating. Some of them veil their scorn under polite words and hedge it about with vague terms; but the newspapers state that at the New England Society banquet recently General Merritt, with a soldier's bluntness, blurted out what was in his own mind, as well as in the minds of a great many other people, by saying: "We have outgrown the Constitution. It is not worth while to discuss it."

That is a very curt settlement of a very grave matter. It should set people to thinking seriously and prayerfully. Merritt wears the double stars of a major-general of the Army of the United States, won by approved conduct on many a bloody field. He has long since passed the effervescent period of youth. He has not been noted for speaking at random. He presumably said what he meant and meant what he said, and it is enough to arouse lovers of liberty from their lethargy. Verily the world moves, and fastest of all the American world. Does any sane man believe that any soldier wearing Uncle Sam's uniform would have dared to utter such language boldly and aboveboard a year ago? One major-general of the United States, George Washington by name, was the president of the convention—justly considered the most august assembly of men since the world began—which formed the Constitution. His share in producing that marvellous instrument has been by many historians deemed a more valuable contribution to American liberty, prosperity, and happiness than his services in the field.

Now comes another major-general, and in the most laconic and matter-of-course way announces the end of that Constitution. Not only that, he manifests such supreme contempt for the work of Washington, Franklin, Hamilton, Madison, and their great collaborators that he is not even willing to discuss it.

While Grover Cleveland was serving his second term, Congressman Tim Campbell, of New York City, was endeavoring to induce him to do something. Cleveland said: "But, Tim, that is unconstitutional." Thereupon Timothy replied with his most fetching smile: "Mr. President, what is the Constitution betwixt friends?" Everybody smiled at what was considered a characteristic reply by the witty Irishman; but General Merritt's declaration is no laughing matter. It sounds like a fire bell at midnight. If "we have outgrown the Constitution," will some jingo pray tell us under what form of government we are living? Is it a government by the sword?

It surely must be; for if the Constitution made by the fathers is abolished, "the government of the people, by the people, and for the people" goes with it and is buried in the same grave. If we have outgrown the Constitution, by what right does William McKinley sit in the White House or GARRET A. HOBART in the Vice-President's chair? If we have outgrown the Constitution, by what authority do Melville W. Fuller and his eight associates presume to pass on the important questions daily presented to them? If we have outgrown the Constitution, how comes it that 90 men in the north end of the Capitol and 300 in the south end persist in the mummery of legislating for 75,000,000 people? Let it be remembered that every employee of the Government of the United States, from the President down to the janitor—executive, judicial, legislative, civil or military—holds commission and draws pay under and by reason of that Constitution, which we are scornfully told we have outgrown. But at the risk of being flouted as "Constitution mongers" there are men who still dare maintain that we have not outgrown the Constitution, and who are unwilling to admit that chaos has come again.

In these latter days we have had all sorts of revivals in literature—a Napoleonic revival, a Washingtonian revival, a Websterian revival, etc. What we

most need in this era of wild, reckless, senseless jingoism is a constitutional revival. We have gone on the latitudinarian tack too long. The Constitution has been stretched until certain imperialists have concluded that it has no binding force. It is high time that these embryo Caesars have gags put into their mouths, and that all men shall be taught the great, fundamental truth promulgated by our fathers, that the Federal Government is a government of limited powers.

SENATOR HOAR WAKES UP.

Senator GEORGE FRISBIE HOAR, of Massachusetts, has never been accused of being a "strict Constitutionist," but even he appears to have waked up to the fact that there is danger ahead. He has been refreshing his knowledge of the Constitution, and he finds written therein these potent words, whose existence many practical statesmen seem to have forgotten:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

Others are joining the great New Englander; and the signs of the times indicate that a revival of constitutional study and practice is at hand. General Merritt's startling declaration may turn the minds of many men to pondering that document who would never have done so had he kept his mouth shut.

AS TO HAULING DOWN THE FLAG.

The Philippine propaganda may not be inaptly described as the hysteria of politics. If sober argument is urged against it, the astounding reply is: "Who will haul down the American flag?" and the band plays, while the banqueters yell themselves hoarse. James Parton says that for some fifteen or twenty years the most learned and logical arguments of statesmen could be sufficiently refuted by shouting, "Hurrah for Jackson!" So, now, all objections to our new-fangled policy of intermeddling with affairs, which concern us not as to be silenced by bawling, "Who will haul down the flag?" as though every flag in Christendom and out of Christendom has not been repeatedly "hailed down" by the very hands which ran it up. Gen. CHARLES HENRY GROSVENOR, of Ohio, is making motions as though he intended to set up a claim to the dubious honor of being the patentee of the idea of never hauling down the flag.

When Gen. John A. Dix, on a famous occasion, telegraphed a Government official, "If any man attempts to haul down the United States flag, shoot him on the spot," he touched the great pulsating heart of the nation, because he was talking about hauling down the flag from a place where it ought to float. But General GROSVENOR invites nothing but ridicule with his twaddle about never hauling down the flag under any circumstances whatsoever from any place whatsoever where it has been run up. If he will reflect a little, he will surely admit that he has no monopoly on patriotism. Nobody constituted him color-bearer extraordinary to the Republic and conscience keeper of all his fellow-citizens. Because men desire to act with common sense is no reason why their love of country should be impugned.

"Who will haul down the American flag?" may provoke uproarious applause at a banquet, as the President lately discovered, while swinging round the circle down in Dixie; but the cold facts of history show that no nation on earth ever pursued such a preposterous policy—a policy which would inevitably render every war a war of extermination.

Let's take a few samples from history—just a few:

The Emperor Adrian voluntarily hauled down the Roman flag and drew in the confines of the Roman empire by hundreds of miles, and historians say that he preserved its life for centuries by so doing. If General GROSVENOR had been there, he would have said: "Adrian, hold on! Where the Roman eagles once fly, they must continue to fly forever!"

There was once a man named Napoleon Bonaparte, who was much of a statesman, more of a soldier, who roamed around a good deal, and who ran up the tricolor of France in many places outside of France. He may be fairly termed the most masterful flag-raiser of that age. Did he, "the armed soldier of democracy," who had kings for sentries and nations for his outposts, who elevated his brothers, sisters, marshals, and even his stable boys to thrones, did he, even in the meridian of his glory, refuse to haul down his flag from over the most ancient capitals of Europe, where he had run it up? Nay, not so. This wonderful warrior more than once hauled it down voluntarily, and, as a matter of good sense, in Vienna, Berlin, and other places too tedious to mention.

Had the heroic and invincible GROSVENOR been present, he would, no doubt, have remonstrated with the martial Corsican, and said: "Sire, you are sullying your fame by weakly hauling down your flag from the palaces of the Hapsburgs and Hohenzollerns. Your honor demands that where the French flag has once floated it shall float—

"Forever and forever,

As long as the river flows,

As long as the heart has passions,

As long as life has woes."

At last, when the allies captured Paris and caged Napoleon upon his sullen isle, they hauled down their flags from the spires of that fair city and returned with them into their own countries.

It is really a blessing that General GROSVENOR was not there on that mournful occasion, or he might have died of heart failure at the spectacle of Wellington hauling down the cross of St. George, or brave old Blucher pulling down the banner of that fatherland which he loved better than his own life.

In the Crimean war the flags of England and France floated together over Sebastopol; yet they were willingly, aye, gladly, hauled down by Queen Victoria and Louis Napoleon as a sign that war was ended and peace returned. Fortunately—most fortunately—our good gray General was not there with his prophet's beard and heart of fire to remonstrate with the French Emperor and British Queen upon their folly and lack of patriotism, or the Crimean war might still be in progress and the world would scarcely contain the volumes of Kinglake's history thereof.

Take an example or two from our own history.

Our flag once floated in victory on the river Thames and over the ancient halls of the Montezumas. Does any sane man regret that it was hauled down? Not that anybody ever heard of. Yet, if General GROSVENOR's theory had been the rule and guide of our faith and practice, we would still be fighting to keep the flag flying in Canada and in Mexico—for that is the only way known among men by which that result could have been secured.

Our marines once set Old Glory to floating over the walls of Tripoli, but, having sufficiently punished the pirates who had plundered our ships, we pulled down the Starry Banner of the Republic without any loss of prestige, and left the Africans to their own devices. The men who were conducting our affairs then have been generally considered fairly good patriots. Many of them had fought in the Revolution; but they were not fools, and they thought that, having accomplished the purpose for which our flag was run up, it was the part of wisdom to haul it down. As good luck would have it, General GROSVENOR had not then been born and his theory had not then been sprung upon a dumfounded world.

On a day in 1814, the remembrance of which must forever remain a humiliation to us, a British general burned the nation's capitol and set the flag of his country floating above its ruins. Had General GROSVENOR's plan

been in vogue, that hateful banner would still be waving where Old Glory now proudly floats, and the Congress of the United States, of which the General is a distinguished member, would be meeting in some other city, if at all—which is the *reductio ad absurdum*. But that hated flag could not have continued to float there. No power on earth could have kept it there. Every American from that day to this would have died in the patriotic endeavor to haul it down; and, if the English had not taken it down voluntarily, we would finally have accomplished it by main strength.

So let us hear no more of the sublimated idiocy of "Who will pull the flag down?"

Floating in its proper place, it is an emblem of liberty and equality before the law. Floating where it does not belong, it is an insult to the memory of the brave men who have died in its defense.

WHAT SHALL WE DO WITH THEM?

There is a certain recipe familiar to culinary artists as to the best method of cooking a hare, which is appropos of the discussion as to how we will govern the Philippines, and which runs in this wise: "First catch your hare." The wisdom of that saying is apparent without extended argumentation to the dullest lad that ever went rabbit hunting in the wild woods. I commend it most heartily to those profound statesmen who are lying awake o' nights, inducing insomnia by overworking their thinkers, trying to devise a system of government for a horde of cannibals who know nothing and care nothing for government, either with or without the consent of the governed—"all of the governed," as the Declaration of Independence means, or "some of the governed," as Senator PLATT of Connecticut sneeringly says—"First catch your hare," which in this modern instance of man hunting means "First catch your Filipinos."

We haven't got them yet and God grant we may never get them! What's more, we can't get them without fighting and conquering them, which God forbid! It makes one sick at heart to think of the brave, useful, worthy American youths who must find graves in that tropical clime before we can even overrun and possess those far-away islands, and of the vast array of them who must there sleep the sleep that knows no awakening until Gabriel's awful trumpet shall sound, provided we are idiots enough to hold them permanently. In the great Judgment Day the blood of all our soldiers who die there will be upon the heads of the men who are rushing our country into this monstrous folly. Far better for us were an earthquake to swallow the Philippines and the Filipinos than that we should ruthlessly sacrifice the lives of our sons in this preposterous enterprise.

These heathen Malays are the best bushfighters in the world. We can easily capture and garrison their towns, lay waste their fields, annihilate their armies, and then, what? They will continually ambush our foraging parties, shoot our pickets on their boats, and harass us perpetually. Why will we learn nothing from human experience? Take only one example. Think how Napoleon in the plenitude of his power descended upon Spain and, to all outward appearance, conquered her completely—almost without an effort. He held every fortified and populous town. He took possession of every mountain pass and strategic point. Like Alexander Sellirk on his desert island, he thought, "I am monarch of all I survey." He set up his brother to play at being king in Madrid, and fondly dreamed of a long line of Napoleons on the throne of Charles V and Philip II. But that gorgeous dream was soon shattered; and in the crash that ensued something else far more important was also shattered, to wit, the Napoleonic empire. In all Spain there was not a Spanish army that would look the French troops in the face, but the Spanish guerrillas killed the French wherever they could find an opportunity, and at last Napoleon gave it up in disgust and recalled his eagles to their eyrie upon the banks of the Seine. Casual readers believe that the marvelous soldier's downfall dates from his invasion of Russia. Those who search for the hidden causes of things know that his first long step on the dismal road to St. Helena was when his legions crossed the Pyrenees for the conquest of Spain. We are urged to do a thing ten times as difficult and a thousandfold more absurd. Spain lies at the very door of France; is contiguous territory; inhabited by a kindred people—indeed, by a branch of the same people—using a language very similar; possessing a climate only a few degrees warmer; practicing the same religion, and bound together by the ties of commerce and of countless intermarriages. On the contrary, we are separated by seven thousand miles of ocean from the Philippines. We live in the temperate zone, while they inhabit the Tropics, where white men can not live outdoors and labor. They are alien in blood traditions, and in every conceivable way.

I undertake to say that it is the first instance in all history where a civilized people was ever called upon by its statesmen to wage a war of conquest for territory for which it has no use and which will prove a curse after it is conquered. Submitted to a vote of the American people, the proposition to acquire these islands would be defeated ten to one. Speaking of the war which is inevitable, if we persist in this astounding undertaking, Hon. E. W. CARMACK, of Tennessee, one of the most brilliant young men in the House, uttered this strong language amid great applause:

"Mr. Chairman, this country has lately conducted a successful war for a declared and definite purpose. The President of the United States is now waging another war upon his own responsibility and for purposes of his own. The country's war was fought to destroy military despotism in a neighboring island and to confer the blessings of liberty upon its people; the President's war is to establish despotism in another country and to destroy the liberties of its people. The first war was for liberty and humanity; the second war is purely for conquest and dominion. The first war was blessed of Heaven and approved by the enlightened conscience of mankind; the second war is a crime against liberty, and the curse of God is upon it. [Applause.] With the people of the Philippine islands, whom our armies are sent forth to slaughter, we have no other cause of quarrel than that which the wolf had with the lamb. [Applause on the Democratic side.]

"But I do not rise, sir, to plead the cause of another people. For the sake of my own country and for the welfare of my own countrymen I make my humble protest against launching this nation upon a career of conquest and 'criminal aggression.' I protest against this policy for one reason, because it is an abrupt and violent departure from those established principles and rules of conduct which have conducted this nation to glory and power. I protest again, because this departure, violent and revolutionary as it is, is being taken without forethought and deliberation, without pausing to measure the consequences, because it is at best a blind leap into the dark."

Again, CARMACK said:

"It seems that we have at last reached that happy stage when we may easily command the respect and friendship of every nation in the world, when every nation is eager to have our good will, and when we may pursue the paths of peaceful industry undisturbed by international hatreds, untroubled by wars or rumors of wars. And it seems to me that of all conditions this is the happiest for any nation, and that we should read with wonder and admiration the words of those great men who prophesied that this time was coming and prayed that it might come. But no; it seems that these wise counsels have decayed with time and lost their virtue.

"One of the champions of this new doctrine disposes of all the wisdom of the fathers of the Republic by saying that it was milk for babes, but that we must have meat for the full-grown man. Yea, let us have meat! And so our

mighty Nimrod of the White House has gone forth into the wilderness to bring food fit for the proud stomach of this stalwart generation! Away with the counsels of Washington and of Jefferson! Away with these nursing bottles of our infancy! Come, let us feast like heroes on this raw and bloody joint from the Philippine jungles!

"Mr. Chairman, I may not have got beyond the tastes of infancy, but to me it seems that Washington's Farewell Address is yet proper food for full-grown American freemen, and that the nasty and reeking mess that is set before us is fit only for obscene birds and beasts of prey. [Applause on the Democratic side.]

"But, Mr. Chairman, it is not simply the authority of Washington and of Jefferson which we oppose to this imperialistic policy. We bring you that authority approved and ratified by every succeeding generation of American statesmen from the birth of the Republic to this hour.

"That which was the policy of Washington and of Jefferson has been the policy of every American President except William McKinley. It was reasserted by Mr. Cleveland in his Venezuelan message with as much emphasis as by Washington in his Farewell Address or by Jefferson in his first message to Congress. When Mr. Cleveland said, in 1895, that it was the established policy of this Government to keep itself free from all political entanglements with foreign powers, to remain isolated from their politics and their quarrels, there was not a solitary voice of dissent from that sentiment from any citizen, any statesman, or any newspaper in the land.

"However much other features of that message were condemned, I repeat that the principle that we should make no aggression in other continents and suffer none upon our own received the universal commendation of the people of the United States and the members of this and the other House. It was sanctioned and approved, sir, by these very men who now scoff at and despise it. If, one year ago, Mr. McKinley had been asked to express his opinion of Washington's Farewell Address, he would have answered that he believed every word of it with all his heart and soul. Such would have been the answer of every member of this House."

"It is first assumed by the Philippine jingoes that our war with Spain was 'a war for humanity,' and then from that premise the conclusion—a clear non sequitur—is deduced that we should go on waging 'wars for humanity' ad infinitum. But the statement that our war with Spain was 'a war for humanity' is a historic falsehood. The American people in 1896 and 1897 wanted a war with Spain, which if begun then would have indeed been a clear case of 'war for humanity,' as we at that time had no cause for giving Spain a flogging on our own hook or by reason of any injury she had inflicted upon us. But the Administration delayed granting belligerent rights to the Cuban patriots, which it was its duty to do, until De Lome wrote his insulting and vicious letter about President McKinley and until the purlined Spaniards murdered 236 of our brave sailors while they were sleeping peacefully in their hammocks in the harbor of Havana, dreaming of their wives, children, homes, and native land. Instantly the posture of affairs in America changed.

"We then had a *casus belli* of our own against the Dons. Not having been able to induce the Administration to inaugurate 'a war for humanity,' the people, angry from core to skin, forced the Administration to undertake a war for revenge. That is precisely what the Spanish war was—a war for revenge, pure and simple. Our sympathy for the reconcentrados was forgotten in our consuming wrath at a deliberate insult to our President and the brutal butchery of our seamen. There is no sense in glozing over the fact; no good to come of it. Our sailors did not go into action and our soldiers did not march to battle shouting 'Remember the reconcentrados!' Oh, no! They had no thought of those starving wretches; but they made the welkin ring with a battle cry never to be forgotten in this world; it was 'Remember the Maine!'

WE ARE NO LONGER SLAVE DRIVERS.

"But supposing, for the sake of argument, that our war with Spain was 'a war for humanity,' by what method of reasoning do we arrive at the conclusion that we should give the barelegged and barebacked Filipinos a whaling in the cause of humanity? Whom are they oppressing? Not a soul. So far as we can understand their simple wants, all they desire is to be let severely alone. As an incident of our own 'set-to' with Spain, we broke her shackles off the neck of the Filipinos; but surely that does not confer upon us the right to flog them. But we are told that they are ours by right of purchase at \$2 per head, or about 14 cents per pound avoirdupois. The trouble about that theory is that we are not in position to maintain it, and have not been since April, 1895; for it was then solemnly settled by the stern arbitrament of the sword that the buying and selling of human beings should cease so far as we were concerned.

"We ourselves wrote 'the bloodiest chapter in the book of Time' because certain of our citizens clung to the belief that they had a right to buy or sell their fellow-men provided their skins were dark enough. There were then only some four millions of these dusky-hued persons in this country, liable to be clapped onto the auction block and knocked off to the highest bidder. For four long, weary, dreadful years we fought each other with the proverbial fury of a family feud in order to put an end to this traffic in human flesh. Now, with an inconsistency unequalled in history, we are told that we as a nation own ten millions of Filipinos by right of purchase—and, by a strange coincidence, they are somewhat off-color themselves. But query: Did we have the right to purchase? Did the Spaniards have a right to sell? Are the Filipinos not to be consulted concerning this change of masters? Are we not stopped by the blood of the brave men who died from Fort Sumter to Appomattox from advancing such a proposition?

"What difference in principle is there between a few hundred thousand white men buying and owning four million negroes and the Government of the United States buying and owning ten million Malays? If the Filipinos are not to be consulted, what becomes of that clause in the Declaration of Independence which informs us that 'all men are created equal,' and that other which revolutionized half the governments on earth by proclaiming that 'all governments derive their just powers from the consent of the governed?' Driven from one untenable position, the nimble jingoes immediately assume another. Their last claim is that we should retain the Philippines because the poor, untutored savages are incapable of self-government, and that if left to themselves they would indulge in revolutions and exterminate each other. I humbly submit that it's none of our affair if they do.

"We are not in position to be making mouths at other people for waging civil wars. We still bear the scars of a colossal performance of that sort ourselves. Every people has a right to revolute, and thereby evolve, itself into any form of government they deem most conducive to their own happiness. It is the law of nature and of human progress. English institutions are bottomed on revolution. Within a little more than a century France has had half a dozen revolutions, with another brewing. Hitherto we have deigned to permit the French to revolute to their heart's content; but with our present overweening ambition, the expectation is not too fanciful for entertainment that our jingoes may warn the French to keep quiet and not attempt to set up the third empire, or we will trounce them within an inch of their lives. Now, if the English, French, Spaniards, Mexicans, Central Americans, South Americans, and Italians may indulge in revolutions, why may not these Malays be permitted the same luxury?

"Perhaps they would be bunglers at the business and would not pull off a

coup d'état with as much skill as the French or behead a king with the solemn flummery of the English, but practice would improve them in this regard, and in due time they would learn to form a constitution or proclaim a republic, empire, or kingdom, with the best of their white exemplars. Truth to tell, under our own theory they are entitled to any sort of government or none at all, just as they please—monarchy, oligarchy, theocracy, republic, democracy, kingdom, empire, or anarchy. If they desire to extirpate themselves, let them do so; perhaps they are more cumbersome of the ground and the world would be better off without them. Whatever they choose to do, we are not commissioned to forbid them, just so they let us alone, which they are very apt to do, so long as they remember Manila and what George Dewey did there.

"Carlyle says that Russia, Prussia, and Austria had a right to partition Poland in self-defense, just as a man would have a right to turn the hose upon the burning barn of his neighbor to protect his own buildings from the flames; but the Celtic sage reached that conclusion on the ground that Poland was always in a ferment, and by reason of their proximity Russia, Prussia, and Austria were liable to have their internal peace destroyed by her bad example; but we have not even that excuse for interfering with the Filipinos. They might have a revolution every full and change of the moon, or might carry on a civil war till the crack of doom and it would not disturb our peace, diminish our happiness, or curtail our prosperity, if we have the wisdom to let them severely alone. It is only when we go meddling with their affairs, which in no way concern us, that they can in any way disturb us. Why then go 7,000 miles to find trouble—unending trouble?

TROUBLES ABUNDANT.

"It would really appear that we already have enough troubles on hand without flying to others that we know not of. Even our present population is by no means homogeneous. Our phenomenal powers of assimilation may finally enable us to digest the mass into something healthy. But, to say nothing of the numerous breeds of white men, who in the Old World were hereditary foes, and who imported their traditional animosities with them into the New, we have some ten millions of Afro-Americans, some hundreds of thousands of Chinese, nearly half a million red Indians, a sprinkling of Japanese, together with occasional samples of every race of people under the sun. Uncle Sam's family is certainly not homogeneous; it is scarcely happy.

"With race troubles in the South, with race riots in Illinois, with racial squabbles going on in divers mining camps, with agitation raging in the North to prevent lynchings down South, with anti-immigration societies besieging Congress to shut out Europeans of our own blood on the ground that they are endangering our institutions by their presence here, with half a dozen sovereign States busy devising means to disfranchise 'our brother in black' without infracting the Federal Constitution, with a Congressional committee engulging its brains to discover a scheme of voting in Hawaii whereby the almighty dollar shall be the chief qualification for suffrage, with a perpetual howl ascending to heaven about corruption in the large cities of the land, with two Senators of the United States and one governor of a great commonwealth under indictment for felonies, with our laboring classes clamoring for living wages, with a vast army of tramps wandering over the country unable to find employment, we are rushing upon fate by taking to our palpitating breasts 10,000,000 man-eaters in the Philippine Islands, who have no more conception of constitutional government than they have of the Choctaw language. We should first set our own household in order before we inaugurate an unending scheme of humanitarianism.

LYMAN'S PHILANTHROPY.

"While President McKinley was down South setting people in a frenzy of excitement by inquiring two or three times a day, 'Who will haul down the American flag? Men of Dixie, will you haul it down?' while the Spanish and American commissioners were industriously working in Paris to agree on terms of peace; while, at the same time, all our men-of-war were hastening to their rendezvous at Manila; while fresh troops were being rushed to the Orient as fast as steam could carry them, the public mind was bewildered as to the meaning of these apparently inconsistent proceedings. They could not understand why we should be increasing our fighting strength in Asiatic waters and the islands of the far East if war with Spain was over, as it was not known that we had any other enemy in that quarter of the globe; but the cat is out of the bag; the rat has escaped from the meal tub; the Senegambian protrudes his head from the woodpile; the milk in the coconut has been discovered. We know 'where we are at' and understand our mission in life. The mist has rolled away, and there is a huge rift in the clouds which have enveloped us; 'our manifest destiny' is settled at last. Lyman J. Gage opened his mouth and spoke at Savannah, and since the art of oratory was first practiced among men no such eye opener has fallen from human tongue. Inter alia Lyman said:

"If 8,000,000 people in southern seas, so rude as not to use bedsteads, or so poor as not to be able to buy them, can, by the stimulating influence of civilization, be brought to desire and acquire them, by so much our problem is solved."

"There it is! We are to maintain a huge standing army, keep up a navy equal to Great Britain's, grind down the taxpayers and pile up a great bonded debt for the purpose of inducing eight millions of people in southern seas into the delectable performance of sleeping on bedsteads—a species of furniture which their ancestors clear back to Adam have eschewed. But, suppose they cling to their primitive, aboriginal customs and stubbornly, treasonably, and violently refuse Lyman's educational theories as to bedsteads and adhere to their hereditary habit of sleeping on the ground, what then? There is only one thing left to be done, and that is for President McKinley to issue a ukase requiring all the South Sea Islanders to provide themselves with bedsteads, and to lie upon them, and, if they still refuse, send the Regular Army to lasso them, and when caught, forcibly strap them onto the beds as patients are strapped to surgeon's tables.

"But this heroic treatment would violate the Declaration of Independence, which informs us that among men's inalienable rights is 'the pursuit of happiness.' Certainly every man—and women, too—has the right to pursue his own happiness in his own way, so long as he does not injure or harass others. That much is clear. Now, it may be true—perhaps is true—that these South Sea Islanders whom we are about to purchase from Spain at \$2 per head can extract more happiness from sleeping on the ground than they could on a royal bed with posts 20 feet high, silk curtains, downy pillows, etc., and I submit that if they prefer to woo Morpheus by nestling their heathen pates on the bosom of old Mother Earth, that even the Secretary of the Treasury has no right to say them nay.

"Lyman should ruminate upon the great truth voiced by a celebrated poet in these words: 'Where ignorance is bliss, 'tis folly to be wise.' Forcing our newly acquired fellow-citizens, acquired at \$2 per head, to recline their supple forms on bedsteads would be only the beginning of the curtailment of their pursuit of happiness; for if Lyman should be permitted to do that, he might be emboldened to compel them to wear trousers and to cease from the ecstatic performance of eating each other—the latter being not only their greatest happiness, but their most beneficial act. Surely Lyman would not be so cruel as that. He might as well think of depriving a New Englander of his codfish or a Kentuckian of his morning and evening 'appetizer.'

"Even Lyman could not gaze unmoved upon the tears—hot, scalding, burning

tears of rage and despair—gushing from the 16,000,000 eyes and down the 16,000,000 cheeks of the 8,000,000 South Sea Islanders—our fellow-citizens by right of purchase at \$2 each—because he has cut off their usual diet of human flesh. I modestly submit, that even these anthropophagi have some vested rights which even Lyman should respect, among which are sleeping on the ground, refusing to wear trousers, and eating each other raw, broiled, boiled, fried, or fricasseed.

ABANDONMENT OF MONROE DOCTRINE.

Another strange manifestation of this virulent expansion mania is our present frame of mind touching the Monroe doctrine—which was originated by Thomas Jefferson, formulated by James Monroe, upheld by all their successors and universally accepted by our people of whatever persuasion or creed, religious or political. Indeed, it was the only proposition upon which we were ever fully agreed. We differed widely and violently upon the tariff, finance, internal improvement, construction of the Constitution, nullification, secession and every other question of serious import, and upon many of the characters ranked by Mr. Toots as "of no consequence." But during all our quarreling, bickering, heart-burning, and blood-letting, there was always one thing upon which we could agree, and that was the Monroe doctrine.

The first historic act performed by the Federal Government after Lee surrendered was to assert the Monroe doctrine by peremptorily ordering Louis Napoleon to withdraw his legions from Mexico at a time when that brilliant adventurer was the dominant figure in Old World politics. At a word from us the imperial nephew of his uncle vanished as a dream from the Western Hemisphere, and Maximilian's mushroom empire tumbled about his ears like a house of cardboard in a cyclone. It is not too much to say that the present Mexican Republic lives by reason of our timely and resolute assertion of the Monroe doctrine; and that pregnant fact is one of our clearest titles to imperishable renown.

The Monroe doctrine gathered strength with time. It grew day by day. It was accepted—unwillingly, but nevertheless accepted—by European nations as a part and parcel of the code of international law. They doubted our right to assert any such doctrine, but at last, after much grumbling, they apparently agreed with Aaron Burr's famous dictum: "Whatever is boldly asserted and plausibly maintained is law." That we boldly asserted the Monroe doctrine, they knew. That we would maintain it not only plausibly but even to the death, they had every reason to believe. So, with much shaking of heads and fists, with all sorts of oburgations upon the ambitious upstarts across the sea, they ultimately concluded to let us have our own way. It was a matter of necessity—"a ground-hog case," as the boys say.

The venerable nations of Europe could not help themselves. The most popular act of Grover Cleveland's entire Presidential career was to assert the Monroe doctrine vigorously and opportunely. From being fiercely hated by half his countrymen and regarded with ill-concealed dislike by most of the other half, by that American act he became in the twinkling of an eye and for one brief halcyon moment, a popular idol. A wave of enthusiasm swept over the land which seemed destined to wash away all recollection of his sins from the public mind. His countrymen were ready to forgive anything in the man who was willing to once more wallop Johnny Bull. Even Richard Olney was lifted from deep obscurity and placed upon the pinnacle of fame because people believed that he had braced Grover up into taking the one heroic attitude of his career.

At least five millions of American freemen, from snowy age to downy youth, were panting for a chance to shoulder arms and fight under the oriflame of Cleveland and Olney in support of the Monroe doctrine. Old Confederates, in an ecstasy of patriotism, clasped old Union soldiers to their battle-scarred breasts at the prospect of waging war against England in defense of the rule of political conduct prescribed by the great Virginian for the nations of Europe on this hemisphere. Such was the frenzy of patriotic fervor, that it would have been hazardous for an American citizen at that period to have dissented openly from the Monroe doctrine or to have doubted either its righteousness or its saving grace. It was a sublime spectacle.

Now, Johnny Bull can not be accused of being a timorous creature; but even his high spirit quailed before the tremendous storm which his greedy aggressions in Venezuela had brought about his head. He remembered Yorktown's blood-stained heights and what George Washington did to him there. He remembered the red field of New Orleans and that merciless Irish-American, Andrew Jackson. He conjured up dreary recollections of Commodore Perry and John Paul Jones, and he suddenly concluded that he didn't want another thrashing at our hands and that he would rather accept the Monroe doctrine than fight us again.

All these things happened less than three years ago.

Now, mirabile dictu, under the lead of wild and covetous jingoes, we appear to be willing to abandon that same Monroe doctrine without a word or a struggle—abandon it completely and forever; for there is not a man living, whose opinion is worthy of consideration, who does not know that the moment we claim the right to intermeddle in Old World affairs and to hold Old World possessions the Monroe doctrine is dead as the men who lived before the flood; for it stands to nature and to reason that we can not play the part of the dog in the manger in this hemisphere and at the same time assume successfully the role of the freebooter in the other half of the world. If we assert the right to colonize there, European nations will assume the right to colonize here, and we will be forever at enmity with everybody from St. Petersburg to the Cape of Good Hope. I do not even except John Bull from the list of our enemies, notwithstanding all the gush that is now being poured out by English-speaking peoples upon both sides of the Atlantic.

Our friendship for John is a hollow truce—a delusion and a snare. His greed is his ruling passion. He wants New England as much as we want his North American possessions, and notwithstanding his newly discovered affection for his American cousins, he would, if he could, gobble up any of our possessions, or all of them, for that matter, as unceremoniously and with as little qualms of conscience as he would nab another slice of the dark continent.

Of all the rot ever uttered in this world surely that of Senator Davis proposing an alliance between America, England, and Japan is the most preposterous. Why we should form an entangling alliance with any nation on earth, like the peace of God, passes all understanding; but of all the alliances that could be proposed, an English alliance is the most unnatural and the most senseless. We are hereditary enemies. We are natural and inevitable competitors for the commerce of the world. We never can be sincere friends.

America and England may form all the paper alliances they can devise; but they will be forever watching each other with suspicion and with hate. Unpleasant memories touching us rankle in John Bull's heart—recollections of startling defeats and galling humiliations by land and sea—and he knows full well, none better, that in America are ten millions of people with Irish blood in their veins, who regard him as a monster of oppression, who can never forget that he drove them and their ancestors from the green fields and rushing rivers of their beloved Erin, and who teach hatred of him to their children as their paramount duty in this life.

All these things being true, John Bull can never love us and will never trust us; but John is wise in his day and generation and he is perfectly willing—indeed eager—to use us as cat's paws to pull his chestnuts out of the fire. Having so used us, he will with traditional perfidy leave us naked to our enemies; and in that hour of our shame and misery, the verdict of mankind upon us will be: "Served them right!"

Naval Appropriation Bill—Naval Academy.

SPEECH

OF
HON. ADOLPH MEYER,
OF LOUISIANA,
IN THE HOUSE OF REPRESENTATIVES,

Friday, February 17, 1899.

The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes—

Mr. MEYER of Louisiana said:

Mr. SPEAKER: I beg leave to say a few words in respect to the position of the Naval Committee of this House upon the proper course to be taken in respect to the appropriations for the accommodation of the Naval Academy at Annapolis, Md. As a member of that committee I recognize, and have always recognized, that we are the servants of the House and not its masters, that we are subject to its rules in performing our duties, and that our highest duty is to lay the truth and the facts before the body. When we have done that, and when we have given it our best judgment and the reasons for our action, if we are overruled, as the House has the right and the power to do, we have performed our whole duty and the responsibility rests with our superiors on this floor from whom we derive all our authority.

The rule invoked that no new appropriation shall be placed upon a general appropriation bill or be in order except to continue works and objects already in progress, and that no provision changing existing law shall be in order on any general appropriation bill, in my humble judgment, was intended to protect the public Treasury from raids for objects not regularly examined and approved. It seems to me that the honorable chairman of the Naval Committee [Mr. BOUTELLE of Maine] is certainly right in his position that it is competent for this House to provide additional guards and securities for the expenditure of moneys heretofore appropriated, as well as for those contained in this bill.

We have the right to put limitations upon expenditure, to say that work under appropriations for public buildings shall be examined and reexamined; to say that moneys already appropriated for supplies for the Army and Navy shall not be expended until the proposed expenditures have been examined and tested in certain modes; and even after we have begun the building of a ship by making therefor a liberal appropriation, we can suspend action or expenditure until a competent board has examined the plans. Sir, it was not the object of this rule to put the work in a strait-jacket, but to prevent waste by snap methods and floor combinations, unfortunately too common in our experience. This is the object of the rule in question, and we have followed out its true intent and spirit in trying to prevent a waste of public money at Annapolis.

We have not sought to diminish the power of the House over the subject-matter, but to enlarge it, or, I may better say, to recognize its fullest power to stand as the guardian of the public Treasury. Under the plans of the Naval Committee, this House would be and remain master of the situation. It would not be at the mercy of clique arrangements or haphazard expenditure. It would act intelligently on full investigation and report, and it would be very apt to act wisely.

Is there in all this anything different from the usual practice of this House in its naval appropriation bills? When we appropriate a large sum of money for battle ships or cruisers, say ten to fifteen millions of dollars, do we appropriate a lump sum and turn it over to the Secretary of the Navy or the Bureau of Naval Construction? Not at all. Sir, this House asks and demands as a prerequisite plans and specifications. It insists on the right of revision and final judgment upon all plans. This was the precise duty for which the Constitution called the House into being, as immediately representing the people who are to pay for all this expenditure. So far does this go that we specify in our naval bills the size of the ships to be built, their character, armor, armament, and so on. If our bill did not do this, it would be kicked out of the House or recommitted.

In all I have said I have proceeded upon the known fact that in our bill we repeal no appropriations heretofore made, but merely suspend further expenditure until the entire plan of improvement can be fully examined, systematized, and reported on to Congress for its intelligent action. Is this not right? Remember, sir, that we are spending the money of the people, taken away from them by grievous and highly burdensome taxation. [Applause.]

Sir, I believe that our statute books, if examined, would disclose numerous instances in which Congress has limited and regulated the expenditure of appropriations previously made. This House has gone much further. At this very session, on the 2d of February, in passing the river and harbor bill, the appropriation in the act of 1894 for a boat railway near the Dallas

Rapids, between Oregon and Washington, and the very large appropriation in the act of 1896, providing for the improvement of Yaquina Bay, Oregon, were deliberately repealed and annulled after discussion; and not a vote was cast against this repeal provision, and not a voice was raised to question the validity of the action of the committee or of the House.

Surely, Mr. Chairman, if it was in order on the 2d of February in a general appropriation bill to repeal two large appropriations previously deliberately made by existing law, it can not be a crime now in the latter days of the very same month to invest an appropriation of last year with such guards and securities as shall most certainly give due effect to the benevolent purpose of Congress and to secure the best and greatest results for the Navy at the lowest possible cost to the American people and taxpayers.

PATRIOTIC PURPOSE OF NAVAL AFFAIRS COMMITTEE.

And this, sir, is exactly what we proposed to do. Who has stood up in this House first, last, and always for liberal appropriations for the maintenance and increase of the American Navy more earnestly than the Committee on Naval Affairs? From the first, and long before our late war with Spain, we have begged, implored, and urged Congress to look ahead and provide liberally for the Navy, so as not to be caught napping or defenseless in a war; to build more ships with all the appliances of modern naval science; to aim to be something more than a miserable tender in naval power to Italy, Japan, and Germany, or a petty rival to powers like Spain and Chili; to give fair promotion and fair pay to the officers and men who are to handle your ships; to provide adequate dockyards and navy-yards for their construction and repair, and to provide instruction for the cadets who in future years are to man your ships and uphold the honor of your flag.

No party spirit or intrigue has defiled and disgraced our committee sessions. Our cause was as broad as the Union, our objects the protection of American citizens and the honor of the Republic. I can say further that our recommendations for naval appropriations were framed in a broad national spirit. We were not studying how to give a sop from the public Treasury to this or that district or to reelect some man to Congress. We felt that the duty imposed upon us was too high for such chicanery.

I can say for myself that I have never lost an opportunity to advance the interests of the Navy. I have availed myself as well as I could of the learning and skill of the great minds of the Navy. I have felt a pride in their achievements. I have warmly appreciated the zeal, elevation, and ability of the able statesmen who have in the past few years been at the head of the Navy Department. We have worked with them for a common patriotic object. I have no apologies to make for my record on this subject or for the gentlemen with whom I have had the honor to serve.

WISE AND LIBERAL APPROPRIATIONS FOR THE NAVAL ACADEMY.

And now, sir, cherishing the Navy as our favorite arm of national defense, cherishing a pride in all its glorious achievements for over a century, realizing as I do that it will have more and more important duties in the future to perform, that everything will depend upon the training and skill of the officers who in turn are to train the fighting men of the Navy, is it necessary for me to say that I shall favor every wise and liberal appropriation to make the Academy at Annapolis, the nursery of our officers, maintain its present proud and honored position?

I know that every year it becomes more and more important for us to have our naval cadets receive the highest and most thorough training possible. To receive that instruction and training, proper buildings for the Academy are indispensably necessary. How shall they be built? In haste and folly, with extravagance and waste, or after proper examination and systematic, harmonious plans, so that every dollar spent shall do the most good? As a friend to the Navy and the Naval Academy, I oppose reckless and wasteful methods and I contend that it is our duty to move toward our object with the same wise prevision and care that we employ in all our great public buildings, with the same care that but a short distance from our present Hall has called into being a grand creation of architecture that for beauty and utility may well challenge the admiration of the world.

We may not secure so grand and beautiful a result at Annapolis as we have done in our Library building, but if the careful method proposed by our committee shall be followed, I feel assured that the result will be buildings constructed such as shall best subserve the important object in view at the lowest practicable cost, so that no unjust clamor on this floor may arise to obstruct future appropriations that may be necessary for this arm and branch of the public defense. Sir, it seems but the other day that we were pleading in the House almost vainly for necessary appropriations for the Navy against the demagogues who insisted that no war would every arise to make a navy necessary, and now we have to combat those who, in a pretended zeal for the Navy, would render it odious to the taxpayers by ill-considered, lavish, and reckless expenditures. [Applause.]

ACADEMY THE KEEL OF OUR NAVAL ESTABLISHMENT.

I desire a navy as a means of guarding our coast and upholding the honor of the flag, and I desire an efficient Naval Academy, as

laying, in a moral sense, the keel of our whole naval establishment. This noble Academy is located in the South, but I deny the right of any Representative to assume its special guardianship any more than for a New York Representative to take West Point under his wing. These two great schools of instruction belong to the Republic, and their care and development are dear to us all. I shall neglect no opportunity to advance their highest and best interests by supporting wise, careful, liberal, and economical appropriations.

I hope the House will act carefully on this question and that it will take no rash or hasty step. There is not a business man in the whole country, and certainly no great corporation, if it were looking to the construction of a building for its purposes, but would demand full and complete plans by the most competent experts before spending a dollar on construction. Shall we be less prudent, less solicitous for economy in expending the people's money, than a great railroad or other corporation would be in caring for the money of its stockholders? I hope not.

There is another consideration that ought to weigh with us. Some of the lessons taught us by the recent Spanish war and by considering also the great attention paid to naval science and naval education and training abroad now bring us to a critical point in our naval history. We can not and will not forget the past, with its glory and great achievements, but the past is behind us. That volume is closed. We are face to face with a new situation—a new departure—where we must lay the ground for a superior and more scientific and powerful Navy than we have had in the past. We are building great ships of war and we are about to provide for other ships. Of equal or even greater importance than the ships is the education and training of our young officers.

We will need more officers, many more, and we will need for them the best opportunities and facilities for obtaining the required instruction. How important is it in constructing these new buildings for our Naval Academy that there shall be no hasty step to be recalled, no makeshifts of building, no patch-work! How important that when we build we shall build upon a broad and comprehensive and harmonious plan that will not embarrass us in the future, but give to the professors and the cadets the best facilities for this vital work of our Navy. We owe this to the naval service; we owe it to the cadets, to the professors, to the American people, and to our own sense of duty.

I appeal to you gentlemen on this side of the House so to vote that the Naval Academy at Annapolis shall grow and expand in its opportunities of usefulness, and be every year a greater object of affection and pride to the Republic. [Applause.]

The Late Stephen A. Northway.

REMARKS

OF

HON. JOHN J. LENTZ,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 18, 1899.

The House having under consideration the following resolutions:

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio.

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. LENTZ said:

Mr. SPEAKER: It was on the floor of this House that I met STEPHEN A. NORTHWAY for the first time in the early part of this my first term in Congress. My knowledge of his character and disposition was large enough to justify me in saying not only has the American Congress but the State of Ohio lost a man who had the confidence, respect, and affection of all who knew him. In the presence of gentlemen here, who through a longer acquaintance and a more familiar friendship have detailed his biography and recited his many qualities, it is unnecessary for me to speak at length.

Although my acquaintance with Mr. NORTHWAY was a short one, yet it was long enough to impress me with a friendship for him that will endure as long as I remember the Fifty-fifth Congress, and I shall long regret that he has entered "the blind cave of eternal night," at whose entrance the curtain never outward swings. I shall regret that when the roll is called he can not answer. His words and deeds and life and all are in the past, and "his tongue is now a stringless instrument." He—

Has felt the worst of death's destroying wound,
And lies full low, gray'd in the hollow ground.

It has been said that no member of Congress is ever able to call all his colleagues by name, and yet I am quite sure that I am safe in saying of STEPHEN A. NORTHWAY that his manly form, his graceful bearing and friendly smile, his prompt generosity and constant courtesy must have introduced him to each and every member of this House without letter or word of recommendation. To have met him meant to know him, and to know him meant to remember him.

His presence and personality were so distinguished and so inspiring that, despite the fact that the dark and starless night of death has swallowed him up in its clouds and mystery, yet all remember him with that keen impression and that vivid recollection which to-day and for many years to come will preserve the bright light of his eye and the generous smile of his good face. So long as men shall say, as men have said of him, "that no road was too long and no night was too dark for him to travel to do a favor for a friend," just so long shall we remember the dignity and generous spirit of STEPHEN A. NORTHWAY.

I am sure all will agree with me that in the loss of our colleague we are to be reminded that "Death loves a shining mark, a signal blow;" that a manly form, a clean head, and a good heart are no insurance against the heartless scythe of the blind reaper, Death. "Death," did I say? I desire to recall the word, for when we go back in memory to the learning of that old heathen philosopher and poet Callimachus, who lived and taught two hundred and fifty years before Christ, we shall remember that "'Tis ever wrong to say a good man dies."

Appropriations.

SPEECH

OF

HON. A. M. DOCKERY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 4, 1899.

The House having under consideration the subject of appropriations—

Mr. DOCKERY said:

Mr. SPEAKER: This Congress easily surpasses all its predecessors in the stupendous aggregate of its appropriations. It was thought that the Fifty-first Congress, commonly known as the "Billion-Dollar Congress," had, in point of extravagance of appropriations, touched a limit which would not be reached, or at least surpassed, by any of its successors. This Congress, however, has far exceeded the appalling total of appropriations then made, and it will be remembered that the "Billion-Dollar Congress" was followed by overwhelming disaster to the Republican party at the ensuing election.

Confronted with a war with Spain requiring the imposition of additional taxation, it is obvious that rigid economy should have been exercised in all other directions in the expenditure of public money. The people were willing to meet all the demands upon the National Treasury made necessary by the Spanish war; but it is fair to presume that they expected their Representatives, in view of their cheerful disposition in meeting these added burdens, to limit the ordinary appropriations rigidly to the necessities of a wise and economical Administration. This expectation has not been realized. The result is an actual deficiency in current revenue amounting on the 1st of this month to \$99,109,554.50. This deficiency, as shown by a recent conservative estimate by Chairman CANNON, of the Appropriation Committee, will probably reach \$159,000,000 on the 30th of June next.

It is impossible to estimate with absolute accuracy the Treasury deficiency for the coming fiscal year. The Secretary of the Treasury, in his annual report made in December last, estimated it at about \$31,000,000, but it now seems probable that it will not be less than \$100,000,000. It is almost certain, therefore, that the Government will be compelled during the calendar year 1900 to face an actual Treasury deficiency. The \$462,000,000 of income arising from the sale of bonds under this Administration and that of President Cleveland will then have been exhausted and the Treasury will pass from the condition of a borrowed surplus to a condition of actual deficit. Such a condition can be met either by increased taxation or by the issue of Treasury certificates or by an additional bond issue.

Notwithstanding this deplorable Treasury situation, which has been called over and over again to the attention of Congress and the country, appropriations have been made which in many cases have not been warranted by the interests of the public service, or which, if proper in themselves, should have been postponed until the national income should be ample to meet all liabilities without the necessity of bond issues.

Mr. Speaker, in my opinion there is but one chance to avoid an actual deficit in the Treasury during the calendar year 1900. The Central and Western Pacific railroad companies are now indebted to the Government in the sum of \$58,812,715.48. A settlement has been effected and will probably be consummated whereby these roads will at once pay into the Treasury \$11,762,543.12, and the remaining indebtedness of \$47,050,172.36 is to be met by notes bearing 3 per cent interest, payable semiannually, and due in ten years from the 1st of August next. The general deficiency act gave the Secretary of the Treasury the right to sell these notes for par and accrued interest. If this action should be taken, it will greatly replenish the Treasury and to that extent postpone a deficit.

The appropriations of the original "billion-dollar Congress" amounted to \$1,035,690,109.94. The appropriations of this Congress reach the mighty aggregate of \$1,566,890,016.28. It is fair to deduct from this total \$482,562,083.47, made necessary to meet the liabilities of the Spanish war; so that, if we deduct from the grand total the liabilities on account of the Spanish war, it appears that the appropriations for the ordinary expenses of the Government are \$1,084,327,932.81.

The appropriations of this Congress to meet the ordinary governmental expenses exceed those of the last Congress by \$59,747,658.94.

Not only this, but the contract liabilities authorized by this Congress for new ships and their armament, for public buildings, for rivers and harbors, and for miscellaneous objects amount to \$70,602,524. If, therefore, to the ordinary appropriations are added the liabilities on account of these authorized contracts, we ascertain that the appropriations and contract liabilities amount together to the tremendous total of \$1,154,930,456.81.

These increased appropriations go for French spoliation claims, public buildings, Bowman Act claims, and hundreds of other projects, some meritorious, but many of them not entitled to recognition by the National Government. In nearly every branch of the Government civil service there has been an increase of appropriations.

Mr. Speaker, this abnormal increase of appropriations is not limited to this Congress. The official exhibit of actual expenditures during the last ten fiscal years discloses a steady increase of the Federal tax rate.

ACTUAL EXPENDITURES.

The total ordinary expenditures of the Government, including the postal service, for the fiscal years 1879 to 1888, inclusive, a period of ten years, were \$3,007,047,018.11.

The total ordinary expenditures, including the postal service, for the fiscal years 1889 to 1898, inclusive, also a period of ten years, aggregated \$4,238,411,690.20. That is to say, the expenditures of the last ten fiscal years exceeded the expenditures of the preceding ten fiscal years by the momentous aggregate of \$1,221,364,672.09.

The constantly augmenting and startling increase of Federal expenditures is further shown in the statement that the average expenditure for each year from 1879 to 1888, inclusive, was only \$300,704,701.81, while the average expenditure for each of the last ten fiscal years amounted to \$423,841,169.02. In other words, during the last decade the actual increase in the annual average of expenditures has been \$122,136,467.21.

This enormous increase of national expenditures would have been much larger but for Democratic ascendancy in the House of Representatives during a part of the decade from 1889 to 1898.

It is claimed by some that the expenditures have properly increased and have only kept pace with the development of the country and the consequent enlargement of the scope of governmental functions. That this is a fallacious view is conclusively shown by the statement of per capita expenditures. The total cost of the Government for each one of our population during the fiscal year ended June 30, 1888, was only \$5.16, while the cost per capita for the fiscal year ended June 30, 1898, amounted to \$6.39.

This per capita increase of \$1.23 is ascertained after deducting all the expenditures incident to the conduct of the war with Spain. It appears, therefore, that the ordinary expenditures of the Government have not only been increased by the vast amount which I have mentioned, but that the increase per capita has been altogether out of proportion to any increase made necessary by reason of the expansion and growth of our country.

Mr. Speaker, the time has come to reform the scale of national expenditures. The reckless improvidence of the outgoing Congress will at least serve the good purpose of arousing the people, and of causing them to send Representatives to the national capital who will reduce the burdens imposed by riotous appropriations. The Democratic party in 1900 will not only demand the free and unlimited coinage of silver at the ratio of 16 to 1 and the abolition of trusts, but it will also insist upon a reduction of taxation and expenditures and the abandonment of all efforts to establish a colonial empire.

Chronological history of appropriation bills, third session of the Fifty-fifth Congress, estimates and appropriations for the fiscal year 1899-1900, and appropriations for the fiscal year 1898-99.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1900.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture.....	a \$3,127,722.00	1898. Dec. 10	\$3,696,322.00	1898. Dec. 20	\$3,696,322.00	1899. Feb. 6	\$3,717,522.00	1899. Feb. 13	\$3,742,522.00
Army.....	144,677,342.72	1899. Feb. 14	79,038,229.66	1899. Feb. 27	79,123,915.30	1899. Mar. 2	80,430,194.42	1899. Mar. 2	80,430,194.42
Diplomatic and consular.....	1,833,028.76	1898. Jan. 9	1,705,533.76	1898. Jan. 12	1,705,533.76	1899. Jan. 28	1,710,533.76	1899. Jan. 28	1,722,533.76
District of Columbia b.....	7,230,807.07	1898. Dec. 12	6,359,950.77	1898. Dec. 13	6,359,950.77	1899. Jan. 6	7,251,905.77	1899. Jan. 7	7,256,905.77
Fortification.....	12,151,898.00	1898. Feb. 11	4,744,793.00	1898. Feb. 27	4,900,902.00	1899. Feb. 28	4,900,902.00	1899. Mar. 2	4,900,902.00
Indian.....	7,069,316.41	1898. Dec. 15	7,347,604.87	1898. Dec. 19	7,347,604.87	1899. Jan. 12	7,440,304.87	1899. Feb. 9	8,166,675.81
Legislative, etc.....	24,365,005.86	1899. Jan. 5	23,229,237.46	1899. Jan. 9	23,229,237.46	1899. Jan. 25	23,400,977.46	1899. Feb. 11	23,446,437.46
Military Academy.....	681,806.99	1899. Jan. 20	601,817.01	1899. Feb. 4	601,769.19	1899. Feb. 9	575,774.47	1899. Feb. 16	575,774.47
Navy.....	47,128,251.08	1898. Feb. 17	44,168,005.24	1898. Feb. 23	44,856,638.58	1899. Feb. 28	49,225,469.58	1899. Mar. 1	52,979,469.58
Pension.....	145,233,830.00	1898. Dec. 14	145,233,830.00	1898. Dec. 15	145,233,830.00	1899. Jan. 17	145,233,830.00	1899. Jan. 27	145,233,830.00
Post-Office c.....	105,224,000.00	1899. Jan. 18	105,471,638.75	1899. Jan. 20	105,200,400.00	1899. Feb. 15	105,533,638.75	1899. Feb. 21	105,603,138.75
River and harbor.....	d 15,580,341.00	1899. Jan. 24	12,509,648.94	1899. Feb. 2	12,524,648.94	1899. Feb. 9	130,191,178.04	1899. Feb. 24	130,557,678.04
Sundry civil.....	e 51,024,859.75	1898. Feb. 6	62,029,101.14	1898. Feb. 17	42,972,311.14	1899. Feb. 25	46,965,989.08	1899. Feb. 28	51,299,262.58
Total.....	565,328,289.64	1898. Dec. 6	497,036,317.60	1898. Dec. 8	477,767,764.01	1898. Dec. 14	606,593,230.20	1898. Dec. 15	615,924,124.61
Deficiency for war expenses, etc.....	f 30,000,000.00	1899. Jan. 20	19,640.00	1899. Jan. 20	11,000.00	1899. Jan. 23	119,640.00	1899. Jan. 23	119,640.00
Urgent deficiency, House of Representatives, etc.....		1899. Feb. 28	31,000.00	1899. Mar. 1	31,000.00	1899. Mar. 2	31,000.00	1899. Mar. 3	31,000.00
Deficiency, 1898 and prior years.....			21,089,384.73		21,089,384.73		21,089,384.73		25,048,850.16
Total.....	595,328,289.64		518,176,342.33		498,899,148.74		628,439,921.14		641,123,614.80
Miscellaneous.....	f 30,000,000.00								
Total regular annual appropriations.....	625,328,289.64								
Permanent annual appropriations.....	128,678,220.00								
Grand total regular and permanent annual appropriations.....	754,006,489.64								

Title.	Law, 1898-1900.		Law, 1898-99.
	Date.	Amount.	Amount.
Agriculture.....	1899.	\$3,726,922.20	\$3,500,202.00
Army.....		80,430,194.42	23,193,302.00
Diplomatic and consular.....		1,714,533.76	1,752,208.76
District of Columbia b.....		6,834,535.77	6,426,880.07
Fortification.....		4,900,902.00	9,377,494.00
Indian.....		7,004,755.81	7,673,854.90
Legislative, etc.....		23,405,740.79	21,625,846.65
Military Academy.....		575,774.47	458,689.23
Navy.....		48,100,064.58	56,098,783.63
Pension.....		145,233,830.00	141,233,830.00
Post-Office c.....		105,634,183.75	99,222,300.75
River and harbor.....		g 14,973,877.94	(A)
Sundry civil.....		h 48,488,722.58	k 48,480,212.36
Total.....		491,642,167.87	419,062,694.30
Deficiency for war expenses, etc.....	1899. Jan. 5	119,640.00	
Urgent deficiency, House of Representatives, etc.....		31,000.00	m 349,772,389.96
Deficiency, 1898 and prior years.....		24,687,372.88	
Total.....		516,480,180.73	768,835,084.26
Miscellaneous.....		28,500,000.00	6,500,311.29
Total regular annual appropriations.....		544,980,180.73	775,335,395.55
Permanent annual appropriations.....		128,678,220.00	n 117,836,220.00
Grand total regular and permanent annual appropriations.....		o 673,658,400.73	p 893,231,615.55

Amount of estimated revenues for fiscal year 1900..... \$510,000,000.00

Amount of estimated postal revenues for fiscal year 1900..... 100,958,112.00

Total estimated revenues for fiscal year 1900..... 610,958,112.00

a No amount is included in the estimates for 1900 for the Agricultural Department for agricultural experiment stations in the several States authorized by the act of March 2, 1887. The amounts appropriated for this purpose for 1899 and 1900 are \$720,000, respectively.

b One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1900 at \$129,141), which are payable from the revenues of the water department.

c Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

d This amount is exclusive of \$12,883,437 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1900.

e This amount includes \$12,883,437 to meet contracts authorized by law for river and harbor improvements for 1900.

f This amount is approximated.

g In addition to this amount the sum of \$3,918,197 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1900, making in all \$23,892,074.94 for rivers and harbors for 1900.

h No river and harbor bill passed for 1899, but the sum of \$14,031,613.56 is appropriated in the sundry civil act to carry out contracts authorized by law, and \$235,836 additional for river and harbor improvements for 1899—in all, \$14,267,449.56. The general deficiency act also appropriates \$380,000 additional for river and harbor improvements, making in all for river and harbor improvements in sundry civil act for 1899, and in general deficiency act, \$14,647,449.56.

i This amount includes \$3,918,197 to carry out contracts authorized by law for river and harbor improvements for 1900.

j This amount includes \$14,031,613.56 to carry out contracts authorized by law for river and harbor improvements for 1899 and \$235,836 additional for river and harbor improvements for 1899; in all, \$14,267,449.56.

k In addition to this amount, reappropriations are made for expenses of the military and naval establishments for the last six months of the fiscal year 1899, aggregating \$70,000,392.84.

l This amount includes \$329,661,795.77 on account of expenses of war with Spain, and \$3,070,872.46 on account of payment of pensions, fiscal year 1898.

m This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1899, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

n In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, to the amount of about \$70,000,000.

o Includes \$361,850,927.26 on account of expenses of war with Spain. In addition to this total amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$330,000; by the naval act, \$23,383,156; by the sundry civil act, \$532,500; and by the urgent deficiency act, \$225,000; in all, \$34,173,656.

The American Soldier.

The Democratic party speaks one voice. It is the prayer of the nation: O, God, make righteous his cause; give victory to his arms; and rest his gallant soul in heaven.

SPEECH

OF

HON. JAMES HAMILTON LEWIS,
OF WASHINGTON.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 25, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 12106) making appropriations for the support of the Army for the fiscal year ending June 30, 1900—

Mr. LEWIS of Washington said:

Mr. CHAIRMAN: Whatever differences I have entertained from my distinguished friends on my right (Republican side), or in matters of organization with my own party, I know that the theme upon which I purpose occupying this floor for a moment must meet their unanimous approbation. I rise to speak of the soldier; the American soldier. My relation to the volunteer by association, also because of short service in the late war, entitle me to say this word. Before proceeding further let me add that there has been frequent suggestion calling forth the statement of the attitude I bore and relation I occupied to the Army in the late Spanish-American war. In what I trust was in no wise an unpleasant encounter between the distinguished gentleman from Ohio [Mr. GROSVENOR] and myself a reference was made to this subject. The gentleman from Tennessee [Mr. GAINES] requested that I put in the RECORD my status. This grew out of my actions in condemning certain commissary called beef while I was serving in the discharge of my duty. I append to the conclusion of my remarks the information, that those interested may understand that it is not alone as a Democrat but as an American who has more than a passing interest in the welfare of the country and its soldiers that I intrude myself at this time upon the House.

Mr. Chairman, I can not longer sit amidst this injustice to the spirit of Americanism without a protest. What means this attempt by our opponents to hold the Democratic party out to the world as questioning whether a Filipino soldier or an American soldier be right? Can such miserable issue ever exist among men who are first and always Americans? [Applause.] The Democratic party is a party of American patriots. They will not know, far less claim, the man who is less. From our honorable opponents may come the accusation of indifference to the sons of our soil—the children of our national mother—but from our record, out of our hearts springing from our admiring soul, ever returns the immutable answer, that the Democratic party on this floor, as in this nation, was the first to foster the rights of the volunteer, and shall be the last to desert them. [Applause.] Whether in field of action or in camp of repose, the soldier is to us the object of our praise for his valor, our gratitude for his sacrifice. [Applause.] No, gentlemen, you can not, your eminent journals shall not, confuse the issue. We will not allow any man of earth to mistake our stand. We, the Democratic party, as citizens of America, oppose the injustice of the order which compelled our boys to languish in distant lands, to die on stricken fields. But to each of these heroes we send our hope of glory as they fight, our ceaseless prayers as they fall. [Applause.]

But, sir, are we in this House not confusing the issue? Are we not unguardedly permitting the unthoughtful to place us in a mistaken attitude? Our critics from without have an appearance taken from us upon which they assail our patriotism.

Sir, we must resent from all sources that we, an American House of Representatives, would ever tolerate from ourselves or from others comparison of the followers of Aguinaldo with the defenders of our flag. Let it now be known throughout the breadth of the world that unto us, Democrats, Republicans, all, as American Representatives, a soldier of that flag, following the orders of his country or firing in the defense of his life, is right as against the world, forever right and forever honored. [Loud applause.]

Sirs, the issue is not—it can not be—is a Filipino right or American soldier right; no such mortifying contrast will be permitted. No man who will make it can be named "statesman," nor citizen who would endure it bear with honor the title of an "American." [Applause.]

Sirs, let it be known that we hold the real issue to be, Was it not wrong to enforce the payment from the tax earners and tax-

payers of this nation of \$30,000,000 for the ownership of so distant and disastrous a possession as the Philippine Islands? Was it not cruel to enforce upon the American farmer and toiler, already broken with his burdens, the competition of a savage and remorseless race? Was it not criminal to exact by law and execute by arms the support of a military empire which must entail \$200,000,000 per year upon the encumbered free people of our nation? [Applause on the Democratic side.]

Shall not the question be, Where is the reward for such an undertaking? Where the justification for such oppressive policy? Shall it be found in the knowledge that no man in this day living can exist long enough to ever see or feel the slightest return for his exalted sacrifice? That life to him is not long enough to ever feel the burden lighten for one hour's length? Rather shall we not tell the nation that it is by the orders of the masters in power that thousands—yea, God in heaven mark it, hundreds of thousands—of our hopeful sons, our valorous youth, a mother's boy, a father's hope, are to perish by mysterious plague; to die in consuming fever, or to return—if ever to return—the emaciated wreck of a once promising life. Limbs tottering, cheeks sunken and yellowed by disease; eyes jaundiced in their sockets; "sicklied o'er with the pale cast of death." Their frames racking with ceaseless torture—to expire at last in groan and prayer for home and mother. The pitiful close of their life's bright beginning.

Oh, my countrymen, here is the issue.

It is against the law of their necessity; we cry out the order of their death; we oppose the confiscation of their generation; we fight to the end! The more we weep over their fate, the more we love and cherish them as they accept and execute it.

And, as a child when scaring sounds molest,
Clings close and closer to its mother's breast,
So the loud torrent and the cannon's roar
But bind him to us more and more.

We know where they are; we know what they are doing; we feel all they feel, and shout out "brave boys" to their every war shriek and "God bless you" to every death throb.

Alas!
Nor wife nor children more shall he behold,
Nor friends nor sacred home.

Sirs, it is not ours at this hour to reason upon their course. It is not for our opponents to charge nor the enemies of this House to intimate that we are not all conscious of our duty. We know that while our soldiers fight their fight is our fight. Right or wrong their cause is our cause. [Applause.] Their commander in chief our commander; his orders our commands. [Loud applause on Republican side.] No, gentlemen, not your applause, give me silence. As our soldiers know not to falter in the hour of obedience, we scorn to question the justice of their course. As they go to battle, it is enough for us that they wear the colors of their country—follow the flag of a reunited American people. [Applause.] While they fight our enemy we fight with them. While they obey, we applaud. While they endure in desperation, we suffer in heart. Until the conflict of death is over, howsoever it may have been brought on, they are our children, they fight with our unanimous approval. [Loud applause.] The assailants of their life or their flag is our enemy. The enemy of our country is the enemy of the Democratic party. [Applause.] The Democrats of this land are the enemies of all who would hurt their country's children.

So, sirs, let it be heralded from our place that no vicious spirits, no calculating designs of any set of men, whether for the slandering of the Democratic party or for the disguising the real question and deluding the patriotic citizens, shall succeed in writing us down against our record or recording us as ever speaking of the American soldier save in love while he lives, in tears when he is dead. [Applause.]

Mr. Chairman, we send our soldiers and sailors our greeting. We send them our prayer. I, sir, speak for the dear Westland, from whence I have come to you. I speak for the mother, who awaits at the doorway for the messenger to bring news of her boy; for the father, who clutches his heart as he hears of his son falling, and yet feels he was the son of the father of 1860 and 1865. I speak for the wife, who looks upon the locket, smothers its dear likeness to her moaning lips, turns to her baby, who only smiles at the name, but never again is to know its father. For all these I speak. Their all is yonder, waiting in the hidden Eastward. I send them the sacred assurance that the Democratic party watcheth with them, and whether it be that their soldier boy sleeps upon arms, or startled from fitful slumber by incendiary torch or aroused by the shrieks of savage murderers—aye, be it that he may be falling in pits or dying in trenches, he has our prayers—the prayers universal of his mother nation—of all her devoted children, crying: "Oh, God above, he is an American soldier. Make righteous his cause, give victory to his arms, and rest his gallant soul in heaven." [Loud and prolonged applause.]

APPENDIX.

At the close of Congress I sought opportunity to enter into the military service. I was and had for years been an officer in the State guards of Washington State. I applied for opportunity to serve in the actual campaign in Cuba on the Atlantic slope. The law passed by Congress for the repletion of the Volunteer Army provided three modes of entering the service. First, by commission and service of the regulars, or of State volunteers through mustering in or appointment; second, by detailing the militia or any one of them, though a private citizen, by the President or Secretary of War to any special or general duty, they thereby becoming amenable to all the military laws, subject to the orders of the Government, differing only from the regular service in that they drew no compensation.

I was offered a commission by the President, depending upon the finding of an assignment for me by Adjutant-General Corbin. I declined a regular commission with a salary attached, because I feared it conflicted with my Congressional duties when the war should have closed, and because I was opposed to taking two salaries from the Government—I was receiving one as Congressman.

The remaining opportunity was by detail. Through the friendship of Justice of the Supreme Court Joseph McKenna I was requested by General Brooke to be a volunteer aide upon his (Brooke's) staff, to join him to go to Ponce or Porto Rico. Having reached St. Louis before receiving my orders, I returned too late to join General Brooke before he departed for Porto Rico.

After leaving Chickamauga I was largely confined to the camp at Newport News, and then following to the inspection of commissary being loaded upon the transports *Obdam* and *Chester*, which were being fitted out for Porto Rico. General Grant, together with his staff, sailed direct from Newport News, Va., to Ponce, Porto Rico. My service with him was under his orders. He placed me wherever he would have ordered any soldier, irrespective of the fact that I was a member of Congress and in every wise indifferent to the slightest discrimination. As it has been urged that my position brought me within the inhibition applying to General WHEELER, Colonels COLSON, ROBBINS, and CAMPBELL, I respond by calling attention that I received no salary nor official commission, ranked as a private from day to day, according to the duties I was discharging.

It was not until I had finished the work assigned, including camp toil, acting as board of survey, and doing field duty, that General Grant assigned me to his staff, with the rank of colonel, as inspection officer. For none of my military service did I receive any compensation, none was sought by me; my position as a volunteer, subject to the orders of war, without any returns or remuneration, can be best gathered from the orders which attached me to duty. I append also one relating to inspection, as that is the one special order which is interesting to the House in view of the suggestion of the gentleman from Ohio and the request of the gentleman from Tennessee, and because certain persons have disputed that I acted officially when I condemned certain objectionable commissary—the beef now in controversy.

Reporting to Adjutant-General Corbin the facts, he gave me orders to report to Gen. Fred. Grant, at Newport News, requesting General Grant to forward me under orders to General Brooke, and to give me transportation and passport. Through this kindness of General Corbin I was enabled to meet General Grant, and he, finding conditions justifying him, temporarily assigned me to his staff by an official order, calling me to report to his headquarters for duty. This I did, and so served to the end of the war. Shortly after my attachment to General Grant he detailed me, among other duties, as inspection officer, ordering me to inspect, among other things, at different times, certain commissary. The orders are as follows:

First. The letter of authority from the Secretary of War, through Adjutant-General Corbin, attaching Colonel LEWIS to General Brooke's staff, ordering him to Porto Rico:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 1, 1898.

Gen. FRED. D. GRANT, *Newport News, Va.*:

DEAR SIR: The Hon. JAMES HAMILTON LEWIS comes to you on route to General Brooke, whom he goes to serve as volunteer aid on his staff. The Secretary of War directs that you give him safe conduct and transportation. Respectfully,

H. C. CORBIN, *Adjutant-General.*

Second. The order of General Grant attaching LEWIS to his own staff as inspector:

[Special Orders, No. 26.]

HEADQUARTERS THIRD BRIGADE AND DIVISION DETACHMENT,
FIRST DIVISION, FIRST ARMY CORPS,
Newport News, Va., August 4, 1898.

VIII. Col. JAMES H. LEWIS, inspector-general, having reported pursuant to instructions from Adjutant-General's Office, dated August 1, 1898, will be assigned to these headquarters for duty and receive transportation to Porto Rico.

By command of Brigadier-General Grant:

F. J. KOUNTZ,
Assistant Adjutant-General.

Then followed different orders and reports, among which was the following:

[Special Orders, No. 26.]

HEADQUARTERS THIRD BRIGADE AND DIVISION DETACHMENT,
FIRST DIVISION, FIRST ARMY CORPS,
Newport News, Va., August 8, 1898.

X. Col. JAMES H. LEWIS will proceed to Pier 5 and inspect such commissaries as are pointed out to him by the commissary, with a view to determining their condition.

By command of Brigadier-General Grant:

F. J. KOUNTZ,
Assistant Adjutant-General.

Then follows the copy of the report on beef, which I withhold because of the investigation now in progress, and because the same is the property of the War Department and I have no permission to make it public.

Eulogy on the Late John W. Cranford.

REMARKS

OF

HON. JOHN H. STEPHENS,
OF TEXAS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899,

On the following resolutions:

"Resolved, That by unanimous consent opportunity may be given for tributes to the memory of Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, these memorial proceedings shall appear in the CONGRESSIONAL RECORD.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. STEPHENS of Texas said:

Mr. SPEAKER: My deceased friend and colleague, JOHN W. CRANFORD, was born near Grove Hill, Clark County, Ala., and was about 36 years old at the time of his death. He had been a citizen of Texas for eighteen years, moving there when a mere youth. Mr. CRANFORD settled at Sulphur Springs, Tex., and studied law with Judge J. K. Milam and Sam J. Hunter (now an associate justice of the court of civil appeals of Texas). Mr. CRANFORD was well educated, a man quick of comprehension, and endowed with great energy and ambition; hence, he was soon able to stand a very creditable examination for law license. He became the junior member of the firm of Milam & Hunter. When these men were elected to the bench Mr. CRANFORD succeeded to the business of the firm which he conducted with signal ability and success. Mr. CRANFORD was my personal and political friend. We served together as State senators of Texas in the Twenty-first and Twenty-second legislatures.

As a legislator Mr. CRANFORD's mind was comprehensive, and he was quick to analyze public questions. His honesty of purpose was never questioned by his associates, while his great ability was recognized by all. He was made chairman of judiciary committee No. 1 of the senate, on account of his marked ability as a lawyer, his energy, and his kindly disposition. He was also elected president pro tempore of the senate. I am informed that he was the youngest man who ever held that position. He was elected to the Fifty-fifth Congress over J. H. (Cyclone) Davis, a Populist orator of note and distinction.

A noted writer has truthfully said that an honest man is the noblest work of God. If the public voice of the people among whom JOHN W. CRANFORD lived so many years can be relied upon, he came fully up to the standard of an honest man. He was at home among the farmers and laborers of his district. They relied on his honesty of purpose and his ability, and gladly supported him whenever they had an opportunity. They seemed to appreciate the old and noble sentiment, "The friendship of a good man is a gift from the gods." Mr. CRANFORD's kindness of heart was well known to all. He never let an opportunity pass to do a kindly act, hence he had hosts of warm personal friends. This kind, friendly, social disposition caused the clouds of disappointment and disease to darken the last years of his life.

On May 2, 1863, Stonewall Jackson led the attack on the right wing of General Hooker's army. As night came on, with ruin impending over the Federal army, this gallant Confederate leader, riding through the gathering darkness, received a volley from his own lines, and fell mortally wounded—in like manner our true and noble friend was overcome by his own congeniality.

So in the Libyan fable it is told that once an eagle stricken with a dart, said, when he saw the fashion of the shaft—

With our own feathers, not by other's hands, are we now smitten.

Mr. CRANFORD's wife died last year. She was a true, loving, Christian wife and mother. They had four children, the youngest a little girl 5 years old. The last time I saw Mr. CRANFORD alive his little girl was beside him and he remarked that she was her mother's flower and her father's sunshine. He seemed to realize that his malady was incurable and that he must soon pass away and leave his little children orphans. This world presents no sadder picture than to see the last parent on the brink of the grave. Mr. CRANFORD's children fully realized their sad condition, and each of them could exclaim with Homer:

Oh, that a happier lot were mine!
If I must leave thee—thou to go down to earth,
For I shall have no hope when thou art gone—
Nothing but sorrow. Father have I none,
And no dear mother.

Shakespeare has said:

When sorrows come, they come not single spies,
But in battalions.

Surely sorrows have come upon the family of our deceased friend in battalions. May we not hope that our Heavenly Father, who tempers the wind to the shorn lambs, will protect, guard, and uphold these orphans, and that they will become true and noble citizens of our Lone Star State?

The Fifty-fifth Congress: Its Appropriations Economical—Its Legislation Wise and Patriotic.

REMARKS

OF

HON. J. G. CANNON,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, March 4, 1899.

The House having under consideration the subject of appropriations—

Mr. CANNON said:

Mr. SPEAKER: The appropriations made at the last session of the Fifty-fifth Congress will amount to \$873,658,400.73, showing an apparent reduction of \$219,573,214.82 below the appropriations made at the preceding session. This reduction is attributable to the necessarily large appropriations made at the session which closed in July last—the second session of the Fifty-fifth Congress—for expenses of the war with Spain.

The entire appropriations made by the Fifty-fifth Congress aggregate \$1,566,890,016.28, of which amount the sum of \$482,562,083.47 is directly chargeable or incident to the war with Spain. Deducting the latter from the former sum, the remainder, \$1,084,327,932.81, represents the ordinary appropriations made during the whole Congress for the normal requirements of the Government.

The appropriations made by the preceding Congress, the Fifty-fourth, which adjourned March 3, 1897, amounted to \$1,044,580,273.87, or only \$39,747,658.94 less than the ordinary appropriations of this Congress after deducting the sums required for the war.

It is eminently proper to compare the appropriations made by this Congress with those made by its immediate predecessor, for the reason that the latter, composed of a numerically strong Republican House of Representatives and a nonpartisan Senate, appropriated, as stated, \$1,044,580,273.87 on estimates submitted by a Democratic Administration, amounting to \$1,064,589,241.20, or nearly \$20,000,000 more than was granted by that Congress for public expenditure.

No fair criticism was ever made or attempted of the aggregate appropriations made by the Fifty-fourth Congress, and none can be sustained against the appropriations made by the Fifty-fifth Congress when they are analyzed and compared. The whole apparent excess in ordinary appropriations—\$39,747,658.94—made by this Congress over those of the Fifty-fourth Congress is more than accounted for under eight titles of expenditure, namely:

For payment of pensions.....	\$3,875,200.00
For the postal service, in order to meet the increased demands of our commerce.....	16,619,581.53
For river and harbor improvements, including work under contracts, some of which were authorized by previous Congresses.....	3,401,128.59
For constructing new ships for the Navy and for their armor and armament.....	6,090,898.00
For beginning the work of taking the Twelfth Census.....	1,000,000.00
For participation by our country and the exhibition of its great industries at the Paris Exposition to be held in 1900.....	1,210,000.00

For new public buildings to accommodate the business of the Government in various cities, including buildings for the Department of Justice and for the Government Printing Office, about.....	\$5,000,000.00
For payment of judgments against the Government under the Bowman Act and for the French spoliation.....	3,100,768.88

Total.....	40,287,516.50
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Thus it is seen that the whole actual increase in ordinary appropriations by this Congress over its immediate predecessor is more than accounted for in a few items that are beyond criticism and that were advocated and passed without party division in either branch of Congress.

In addition to the aggregate of specific appropriations made at this session of Congress, contracts are authorized, subject to appropriations to be supplied hereafter by future Congresses, amounting to about \$70,000,000, of which sum about \$44,000,000 is for the construction of additional ships for the Navy and for their armor and armament; about \$22,500,000 for work on river and harbor improvements, and something over \$3,000,000 for the construction of public buildings. The contract system is of necessity applied to the construction of our new warships, some of which require years for building and equipment for service. In the case of river and harbor improvements and the erection of public buildings, experience has demonstrated that the authorization of contracts tends materially to expedite and cheapen the same.

I will append, as a part of my remarks, tables showing, by titles of appropriation acts, the appropriations made by the Fifty-fourth and Fifty-fifth Congresses for the fiscal years 1897 and 1898 and the fiscal years 1899 and 1900, respectively; also, the appropriations made on account of or incident to the war with Spain, and a chronological history of the appropriation bills for the last session of this Congress. These tables give a graphic insight into the appropriations made by this Congress, as well as by the last, and there is nothing left for me to add touching the details of appropriations.

No two years of our national history since the close of the civil war have been so big with great events or have seen such masterful treatment of the same as the two years covered by the first half of William McKinley's Administration and by the Fifty-fifth Congress. Administration and legislation have been both wise and efficient.

The history of the country shows that in time of war, when public attention is directed chiefly to military matters, the expenditures of the Government are apt to go without proper attention, and, what is of far greater consequence, enterprising individuals or interests attempt to utilize public sentiment and commit the Government to expenditures from the Treasury to carry out policies meeting with public favor without properly safeguarding the machinery necessary to accomplish the end in view. But the Congress that is just expiring has been peculiarly fortunate, first, in having been able to maintain a close scrutiny of appropriations, and second, in having successfully resisted projects prompted by selfish interests that were claimed to be proper for carrying out public sentiment, but which would, in reality, have defeated the realization of such sentiment or have at least delayed the construction of great works necessary for the national welfare.

A case in point was the proposition to construct the Nicaragua Canal. There is an almost universal public sentiment demanding the construction of an isthmian canal that will unite the waters of the Atlantic and the Pacific oceans. The public defense on the one hand, and the interests of the commerce of the United States and of the world on the other, demand such a canal.

A bill was proposed and passed by the Senate committing the United States to the construction of the Nicaragua Canal and the practical acquirement, at a cost of \$5,000,000, of an alleged concession from Nicaragua and Costa Rica to the Maritime Canal Company for the construction thereof, while in truth and fact, if said concession has not already expired it will expire in October next; and even if it had not expired the United States could not afford to construct a canal under its provisions.

If the Senate bill or any measure proposed had been enacted, the United States would have paid \$5,000,000 for a worthless concession and would have been committed by law to the construction of a canal along the Nicaragua route, and under such conditions it would have been compelled, before we threw a spadeful of earth, or in any way began actual construction, to have acquired by treaty from Nicaragua and Costa Rica the territory whereon to construct the canal and the right to construct it.

Such legislation would have delayed and embarrassed the construction of an isthmian canal. The United States can not afford to enter upon this great work until it has required by treaty a zone of territory whereon to construct the same. Fortunately the House of Representatives resisted the enactment of the proposed legislation, and the contest between the Senate and the House resulted finally in the only practical provision possible, viz, the appropriation of a million dollars to enable the President to make

full and complete investigation of the isthmus, with a view to the future construction of a canal across the same, particularly the Panama and Nicaragua routes, and to report to Congress the result, with his recommendations in the premises. In addition to this, the President already has the sole power to negotiate treaties for a site for said canal, which treaties must be made and ratified before the Government can begin construction.

There are many other matters of legislation and of failure to legislate and appropriate to which I might refer, but for fear of making this statement too long I forbear. Some general observations in other lines, however, permit me to submit.

During the whole of the four years covered by Mr. Cleveland's second Administration the material and industrial condition of the country was calamitous, and its contemplation does not bring satisfaction to any American citizen. But the Fifty-fifth Congress, beginning with the Administration of William McKinley, and promptly called in extraordinary session, as promptly enacted legislation which has yielded the additional revenues needed to pay the ordinary expenses of the Government, and has at the same time protected American labor. With the enactment of that legislation hope and confidence struck hands, and the condition of the whole country improved and has continued to improve from that time to the present. Labor is now universally employed, with increased wage, and with such employment the means are supplied for increased consumption.

In addition, without taking time to discuss in detail the causes that led thereto, Congress declared war against Spain; and the prompt and decisive successes of the Army and Navy upon land and sea have never been equaled anywhere in history. The great expenditures rendered necessary by the war required the enactment of additional revenue legislation, and that legislation is now bringing into our Treasury an additional \$100,000,000 per annum.

The vast increase of the Navy and the creation of an army of a quarter of a million men, together with the increase of taxation, have not in any appreciable degree checked our industrial advance, which began coincidentally with the incoming of the present Administration and the Fifty-fifth Congress.

As a logical sequence of war, outlying territories formerly belonging to Spain have, by the treaty of peace and by the occupation of our Army and Navy, come under the jurisdiction of the United States, and a military government, under the direction of the President and in conformity with the peace treaty, is established in those outlying territories and will continue until Congress in the future shall provide by legislation such civil government as the interests of the United States and the condition and well-being of the people therein may demand.

The Administration of William McKinley and the Fifty-fifth Congress have grappled successfully and wisely with all questions of peace and of war that they have been called upon to consider. And in passing let me call attention to our great success in securing the adjustment of the large indebtedness due the Government from the Pacific railroads. Under the Administration of Mr. Cleveland, in the then depressed condition of the country, the large indebtedness due from those railroads was regarded as practically lost, and we would have been glad to have secured its settlement by the payment of one-half of it. But, with the return of prosperity so wisely promoted by sound legislation and administration, the indebtedness of the Union Pacific, amounting in round numbers to \$59,000,000, has been collected and paid into the Treasury, while the principal of the indebtedness of the Kansas Pacific, amounting to over \$6,000,000, has also been collected and paid into the Treasury. Under legislation enacted by the second session of the Congress just expired, the Administration has settled and secured the whole of the debt, both principal and interest, due from the Central Pacific, likewise amounting in round numbers to \$59,000,000. If anyone had predicted, at the beginning of this Administration, that it would be possible to collect and secure these great sums to the United States, he would have been laughed at as a prophet abounding in neither inspiration nor wisdom.

It is not my purpose now to discuss questions connected with legislation hereafter to be enacted. I prefer rather to await the logic of events and the full information that will doubtless come, as I hope, between now and the organization in December next of the newly elected Congress. But I venture the assertion and prediction that the United States could not if it would, and would not if it could, part with the territories acquired from Spain by the treaty of peace or shirk its duties and responsibilities touching them.

Mr. Speaker, a word in conclusion. I feel that I can with propriety congratulate the House, the Congress, the Administration, and the country upon the legislation and appropriations of the Fifty-fifth Congress as well as upon the administration of the Executive. Turning our faces toward the new problems that will be presented for our consideration and action, I am confident that we shall in the future, as we have solved other problems in the past, solve them successfully, bringing to our aid in their solution courage, wisdom, and patriotism.

Appropriations made by the Fifty-fourth and Fifty-fifth Congresses—fiscal years 1897-98 and 1899-1900.

Title.	Fifty-fourth Congress, 1897-98.	Fifty-fifth Congress, 1899-1900.
Agriculture.....	\$6,438,434.00	a \$7,235,224.00
Army.....	46,407,747.03	b 103,623,586.42
Diplomatic and consular.....	3,337,867.52	3,466,742.52
District of Columbia.....	12,087,310.54	13,201,415.84
Fortification.....	16,895,029.00	c 14,287,396.00
Indian.....	15,064,617.68	15,278,610.71
Legislative, etc.....	43,210,061.61	d 45,661,587.44
Military Academy.....	929,008.44	1,644,463.70
Navy.....	e 63,565,895.14	f 104,198,878.16
Pension.....	282,592,460.00	286,467,000.00
Post-Office.....	188,226,902.97	g 204,856,484.50
River and harbor.....	12,659,550.00	14,973,877.94
Sundry civil.....	h 86,808,493.57	i 98,088,934.84
Deficiencies.....	25,799,328.41	k 374,610,402.82
Miscellaneous.....	1,415,067.96	l 35,000,311.29
Total, regular appropriations.....	505,447,893.87	1,320,375,576.28
Permanent annual appropriations.....	239,132,380.00	m 246,514,440.00
Grand total, regular and permanent annual appropriations.....	1,044,580,273.87	n 1,566,890,016.28

a Includes \$60,000 on account of war with Spain.
b Includes \$37,900,850.12, estimated, on account of or incident to war with Spain.
c Includes \$5,232,582, estimated, on account of war with Spain.
d Includes \$1,316,300 on account of war with Spain.
e Includes \$25,537,837 for increase of the Navy.
f Includes \$42,858,790.88, estimated, on account of war with Spain; and \$31,618,675 for increase of the Navy.
g Includes \$300,000 on account of war with Spain.
h Includes \$21,883,009.91 to carry out contracts authorized by law for river and harbor improvements.
i Includes \$22,940,810.56 to carry out contracts authorized by law for river and harbor improvements; and \$281,300 on account of war with Spain.
j Includes \$345,342,200.47 on account of war with Spain.
k Includes \$23,870,000 on account of war with Spain.
l Includes \$6,000,000 to pay interest on war loan of \$200,000,000.
m Includes a total sum of \$482,562,083.47 on account of or incident to war with Spain.

WAR APPROPRIATIONS.

<i>Appropriations made during the second session of the Fifty-fifth Congress on account of or incident to the war with Spain.</i>	
For the national defense, act March 9, 1898, page 294.....	\$50,117,000.00
Army and Navy deficiencies, act May 4, 1898, pages 296-303.....	34,625,725.71
Naval appropriation act, May 4, 1898, pages 139-161—amount of increase over preceding naval appropriation act.....	23,095,519.49
Fortification appropriation act, May 7, 1898, pages 58-60—amount of increase over act as passed by the House.....	5,232,582.00
Auxiliary naval forces, joint resolution May 28, 1898, page 377.....	3,000,000.00
Additional clerical force, War Department, Auditors' offices, etc., act May 31, 1898, page 304.....	224,808.60
Life-Saving Service, act June 7, 1898, page 310.....	70,000.00
Army and Navy deficiencies, act June 8, 1898, pages 306-308.....	18,015,000.00
Appropriations in act to provide ways and means to meet war expenditures, June 13, 1898, pages 313, 329.....	600,000.00
Army, Navy, and other war expenses for six months beginning July 1, 1898, in general deficiency act, section 2, July 7, 1898, pages 261-277.....	226,670,261.46
Expenses of bringing home remains of soldiers, act July 8, 1898, page 309.....	200,000.00
Total.....	361,859,927.26
<i>Appropriations made during the third session of the Fifty-fifth Congress on account of or incident to the war with Spain.</i>	
In legislative act:	
Additional clerical force, etc.—	
State Department.....	\$6,800
Treasury Department.....	800,100
War Department.....	486,000
Post-Office Department.....	13,400
Court of Claims auditors.....	10,000
	\$1,316,300.00
In sundry civil act:	
Coast and Geodetic Survey.....	82,000
Engraving and Printing.....	199,300
	281,300.00
In Post-Office act:	
Postal service in territory occupied by military.....	300,000.00
In Agricultural act:	
Weather Bureau stations in West Indies.....	60,000.00
In Army act:	
Army appropriation act for 1898 appropriated.....	\$23,123,344.30
Army appropriation act for 1900 appropriated.....	80,430,194.42
An increase of.....	57,300,850.12
In naval act:	
The appropriations made in the naval act for 1900, exclusive of the sums for "Increase of the Navy," exceed the like appropriations made in the naval act for 1898 by.....	19,763,241.39
Permanent appropriations:	
Interest on \$200,000,000 of bonds for war loan at 3 per cent per annum.....	6,000,000.00
In special act:	
Payment to Spain under Paris treaty.....	20,000,000.00
In deficiency act:	
Treasury Department.....	\$80,000.00
War Department.....	15,140,464.70
Postal service.....	150,000.00
	15,680,464.70
Total.....	130,702,156.21
Grand total war appropriations made during Fifty-fifth Congress.....	482,562,083.47

Chronological history of appropriation bills, third session of the Fifty-fifth Congress, estimates and appropriations for the fiscal year 1899-1900, and appropriations for the fiscal year 1898-99.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1900.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture.....	a \$3,127,722.00	1898. Dec. 19	\$3,696,322.00	1898. Dec. 20	\$3,696,322.00	1899. Feb. 6	\$3,717,522.00	1899. Feb. 13	\$3,742,522.00
Army.....	144,677,342.72	1899. Feb. 14	79,068,229.66	1899. Feb. 27	79,128,915.30	1899. Mar. 2	80,430,194.42	1899. Mar. 3	80,430,194.42
Diplomatic and consular.....	1,839,028.76	1898. Jan. 9	1,705,533.76	1898. Jan. 12	1,705,533.76	1899. Jan. 23	1,710,533.76	1899. Jan. 28	1,722,353.76
District of Columbia b.....	7,230,807.07	1898. Dec. 12	6,359,950.77	1898. Dec. 13	6,359,950.77	1899. Jan. 6	7,251,905.77	1899. Jan. 7	7,250,905.77
Fortification.....	12,151,898.00	1899. Feb. 11	4,744,708.00	1899. Feb. 27	4,909,902.00	1899. Feb. 28	4,909,902.00	1899. Mar. 2	4,909,902.00
Indian.....	7,069,316.41	1898. Dec. 15	7,347,004.87	1898. Dec. 19	7,347,004.87	1899. Jan. 12	7,449,304.87	1899. Feb. 9	8,168,075.81
Legislative, etc.....	24,365,005.86	1899. Jan. 5	23,229,237.46	1899. Jan. 9	23,229,937.46	1899. Jan. 25	23,400,977.46	1899. Feb. 11	23,446,437.46
Military Academy.....	681,896.99	1899. Jan. 20	601,817.01	1899. Feb. 4	601,769.19	1899. Feb. 9	575,774.47	1899. Feb. 16	575,774.47
Navy.....	47,128,251.08	1898. Feb. 17	44,168,005.24	1898. Feb. 23	44,856,638.58	1899. Feb. 28	49,225,469.58	1899. Mar. 1	52,979,469.58
Pension.....	145,233,830.00	1898. Dec. 14	145,233,830.00	1898. Dec. 15	145,233,830.00	1899. Jan. 17	145,233,830.00	1899. Jan. 27	145,233,830.00
Post-Office c.....	105,224,000.00	1899. Jan. 18	105,471,638.75	1899. Jan. 20	105,200,400.00	1899. Feb. 15	105,533,638.75	1899. Feb. 21	105,603,138.75
River and harbor.....	d 15,580,341.00	1899. Jan. 24	12,509,648.94	1899. Feb. 2	12,524,648.94	1899. Feb. 18	130,190,178.04	1899. Feb. 24	130,557,678.04
Sundry civil.....	e 51,024,859.73	1898. Feb. 6	62,929,101.14	1898. Feb. 17	42,973,311.14	1899. Feb. 25	46,963,989.08	1899. Feb. 25	51,290,392.58
Total.....	505,328,269.64	1898. Dec. 6	497,036,317.00	1898. Dec. 8	477,767,764.01	1898. Dec. 14	606,586,230.20	1898. Dec. 15	615,924,124.64
Deficiency for war expenses, etc.....	f 30,000,000.00	1899. Jan. 20	19,640.00	1899. Jan. 20	11,000.00	1899. Jan. 23	119,640.00	1899. Jan. 23	119,640.00
Urgent deficiency, House of Representatives, etc.....		1899. Feb. 23	31,000.00	1899. Mar. 1	31,000.00	1899. Mar. 2	31,000.00	1899. Mar. 3	31,000.00
Deficiency, 1898 and prior years.....			21,089,384.73		21,089,384.73		21,696,000.94		25,048,850.16
Total.....	505,328,269.64		518,176,342.33		499,869,148.74		628,430,921.14		641,123,614.80
Miscellaneous.....	f 30,000,000.00								
Total, regular annual appropriations.....	625,328,269.64								
Permanent annual appropriations.....	128,678,220.00								
Grand total, regular and permanent annual appropriations.....	754,006,489.64								

Title.	Law, 1899-1900.		Law, 1898-99.
	Date.	Amount.	Amount.
Agriculture.....	1899.	\$3,726,022.00	\$3,509,202.00
Army.....		80,430,194.42	29,193,392.00
Diplomatic and consular.....		1,714,533.76	1,752,308.76
District of Columbia b.....		6,834,535.77	6,436,880.07
Fortification.....		4,909,902.00	9,377,494.00
Indian.....		7,604,755.81	7,673,854.90
Legislative, etc.....		23,405,740.79	21,625,846.65
Military Academy.....		575,774.47	456,089.23
Navy.....		49,100,094.58	56,098,783.08
Pension.....		145,233,830.00	141,238,830.00
Post-Office c.....		105,634,183.75	90,222,300.75
River and harbor.....		g 14,973,877.94	(h)
Sundry civil.....		i 48,498,722.58	k 48,490,312.26
Total.....		491,649,167.87	419,062,694.30
Deficiency for war expenses, etc.....	1899. Jan. 5	119,640.00	
Urgent deficiency, House of Representatives, etc.....		31,000.00	
Deficiency, 1898 and prior years.....		24,687,372.86	
Total.....		516,480,180.73	768,835,064.26
Miscellaneous.....		j 28,500,000.00	6,500,311.29
Total, regular annual appropriations.....		544,980,180.73	775,335,375.55
Permanent annual appropriations.....		128,678,220.00	n 117,896,220.00
Grand total, regular and permanent annual appropriations.....		o 673,658,400.73	p 893,231,615.55

Amount of estimated revenues for fiscal year 1900..... \$510,000,000.00

Amount of estimated postal revenues for fiscal year 1900..... 100,958,112.00

Total estimated revenues for fiscal year 1900..... 610,958,112.00

a No amount is included in the estimates for 1900 for the Agricultural Department for agricultural experiment stations in the several States authorized by the act of March 2, 1887. The amounts appropriated for this purpose for 1899 and 1900 are \$720,000, respectively.

b One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1900 at \$129,141), which are payable from the revenues of the water department.

c Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

d This amount is exclusive of \$12,883,437 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1900.

e This amount includes \$12,883,437 to meet contracts authorized by law for river and harbor improvements for 1900.

f This amount is appropriated.

g In addition to this amount the sum of \$3,918,197 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1900, making in all \$23,892,074.94 for rivers and harbors for 1900.

h No river and harbor bill passed for 1899, but the sum of \$14,031,613.56 is appropriated in the sundry civil act to carry out contracts authorized by law, and \$23,892 additional for river and harbor improvements for 1899, in all, \$14,267,449.56. The general deficiency act also appropriates \$300,000 additional for river and harbor improvements, making in all for river and harbor improvements in sundry civil act for 1899, and in general deficiency act, \$14,627,449.56.

i This amount includes \$3,918,197 to carry out contracts authorized by law for river and harbor improvements for 1899, and \$23,892 additional for river and harbor improvements for 1899, in all, \$14,267,449.56.

j This amount includes \$14,031,613.56 to carry out contracts authorized by law for river and harbor improvements for 1899, and \$23,892 additional for river and harbor improvements for 1899, in all, \$14,267,449.56.

k In addition to this amount, reappropriations are made for expenses of the military and naval establishments for the last six months of the fiscal year 1899, aggregating \$70,009,392.84.

l This amount includes \$329,661,795.77 on account of expenses of war with Spain, and \$3,070,872.48 on account of payment of pensions, fiscal year 1898.

m This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1899, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

n In addition to this amount, contracts are authorized to be entered into, subject to future appropriations by Congress, to the amount of about \$70,000,000.

o Includes \$361,859,927.26 on account of expenses of war with Spain. In addition to this total amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$230,000; by the naval act, \$23,366,156; by the sundry civil act, \$352,500, and by the urgent deficiency act, \$225,000; in all, \$24,173,656.

p Includes \$361,859,927.26 on account of expenses of war with Spain. In addition to this total amount, contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$230,000; by the naval act, \$23,366,156; by the sundry civil act, \$352,500, and by the urgent deficiency act, \$225,000; in all, \$24,173,656.

Our Relations and Duty to the Philippines Under the Treaty.

SPEECH

OF

HON. WILLIAM S. KIRKPATRICK,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, February 10, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 12006) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes—

Mr. KIRKPATRICK said:

Mr. CHAIRMAN: The largest and most impressive item in this great appropriation bill is that which provides for the payment of the twenty millions to Spain and puts the finishing touch to the treaty with that power with which we have recently been at war, thus happily closing the initial and perhaps most brilliant chapter in the new life of the Republic. Under the Constitution of our Federal Republic the treaty-making power resides in the Executive, conditioned upon the concurrence of the Senate.

The power of declaring war is reposed in the National Legislature, of which the Senate is but a part. It might have been wiser and more logical, perhaps, to have conferred upon the same body which is charged with the weighty responsibility of declaring war the right to close it. But our fathers thought otherwise, and perhaps their action in making the treaty-making power a more purely executive function was founded in the highest wisdom and may have seemed promotive of that quick and decisive quality so necessary in securing results dependent upon contract and the concurrence of sovereign minds.

I am not prepared to admit that experience has justified this policy. The recent spectacle of a small obstructive fraction of the Senate, indifferent to the manifest judgment of the people whose servants and spokesmen they were, holding up in mid air the treaty so wisely and laboriously framed, and so necessary to the ending of the embarrassing and anomalous position in which the protocol had left us, thus inviting and encouraging the disorders now fully inaugurated in the Philippines, would seem to suggest a resort to a concurrence of a mere majority of both Houses as a better and ampler check upon any possible eccentricity of executive action, and at the same time one more directly responsive to the popular will, which, after all, is and ought to be the ultimate source of all political power and action. One thing, however, is certain. The treaty has been made. It has been finally concluded on our part by the only constitutional power capable of effectively wielding that sovereign prerogative.

The work has been completed, and we find our condition and international status fixed. No other body or functionary can now modify, thwart, or undo it. It only awaits the ratification of the Cortes of Spain to give it contractual force, every step having been taken on the part of our Government necessary to commit this country to its provisions. Granted that we are a nation and that it was the purpose of the framers of our Government to constitute us such externally to the other nations of the world, it follows irresistibly that we must possess all the attributes which are necessary to complete and effective action in maintaining our international relations and in dealing with the momentous questions of war and peace, the highest and most essential of all sovereign powers. Flexibility and adaptability to the complex and ever-changing conditions of modern life and intercourse among highly civilized communities require unlimited discretion, independence, and freedom of action in adjusting ourselves to the outside world.

A nation implies all the elements essential to a perfect definition of that term. Our Republic having assumed to enter the family of nations by the most formal and impressive announcement in our famous declaration long before its Constitution was finally settled, and by the act and authority of the body of its people, for whom and by whom its form of government was ordained, there was impressed upon that Constitution and its political agencies the already accepted notion that in dealing with the external world the central power should be unrestrained, save only by the essential nature of our Government itself, or by such clearly expressed limitations as must have been intended to curtail and restrain its otherwise absolute exercise.

We are not therefore to look to any express or clearly implied grant of this power for the precise measure of its extent, but rather to the great fundamental purpose had in view when the Union was created and its independent existence as a national unit asserted.

The treaty having been made and within the scope of that branch of our national sovereignty committed to the President and the Senate, it remains only to fulfill its obligations. It is the

act of the people through their selected constitutional agents, and it is only for us to obey their will thus formulated and expressed. This is not the time or the occasion to discuss and settle our ultimate policy with regard to our acquisitions of territory and the fruits of the war so fortunately and honorably ended.

Now, this is a practical duty. Morally and constitutionally we have no option. The obligation has been created, ours the duty only to discharge it. The question involved in this appropriation is not one of policy or perhaps even of discretion. Our action neither commits us to any particular course for the future, nor by refusal to act do we alter the past or divest ourselves of our international responsibilities. We need not speculate as to that future; we need not shrink from the plain, practical duty of making this appropriation. The pending question is addressed as one only for the present, and as an obvious and necessary step in legislation to which we are inexorably committed.

I therefore differ from the gentleman from Massachusetts. I differ from all who have attempted to affix riders or conditions to that which has already been formulated for us by the resistless logic of events and by the final action of other constitutional authorities. Any attempt to limit this important provision in this appropriation bill by a condition, or by some immature and hastily conceived declaration of policy, seems to me to be an act of the most consummate folly, and displays a rashness and want of proper appreciation of the solemn and peculiar duty which now weighs upon us that would hardly be conceivable were it not that such proposal has been so recently and so persistently uttered.

Why link such announcement of purpose, requiring the profoundest thought and most accurate knowledge of facts and conditions yet to be ascertained, to legislation plainly demanded by present necessities and duties? Why now anticipate and jauntily settle that which calmly awaits the matured and deliberate statesmanship of this versatile nation, always equal to every great emergency and always capable of adapting itself to the stress of the most novel and unforeseen conditions?

Mr. Chairman, there might be presented, it is true, the interesting question as to how far this body has discretionary power in granting or refusing an appropriation in fulfillment of a treaty obligation. Suffice it to say that the Constitution of the United States has declared who shall make a treaty.

The language is "He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties, provided, etc." The expression "make treaties" necessarily implies a completed act, and when the Executive and the Senate have performed their respective parts, the treaty, so far as this country is concerned, has the force of enacted law binding upon all the departments of the Government. The Congress can not now burden it with provisos or decline to execute its stipulations. Having the physical power to vote down the appropriation, we are no less bound to make it. Because the mandate of the Constitution can not be enforced except by an impelling sense of duty and pressure of public opinion, the requirement to carry out every provision nevertheless exists.

There is no imperative call upon us to now solve the future of the Philippines, nor can we mold the terms of the treaty or handle the appropriation called for in any way so as to determine our future course of action with regard to that great derelict of the oriental seas which has so strangely and yet so providentially, I believe, fallen into our hands. What has been done and accomplished no American would undo, and the splendors of that fateful May morning in far-off Manila Bay can not be extinguished in a weak and cowardly abandonment of the great responsibilities with which that miracle of successful daring and skill has charged us.

In the light of the dawn of the more splendid day which is now breaking upon this great people, in this time of opportunity for human liberty and Christian civilization, in the revelation of grander possibilities for the advancement of our country and our race which now breaks upon us, it is no time to be looking backward to attempt the impossible task of retracing our steps and to cast away the prestige, the power, and the security which the achievements and the glories of our recent conflict have won for us. Isolation and insularity are the policy of weakness and dread, and are only appropriate to a condition of remoteness and tender growth.

In the close contacts of this age of commercial development and swift intercourse, amid the wonderful activities which throng about us, thrilled as we are by glimpses of the majestic future awaiting us, interwoven as we are by the irresistible cunning of events which have proceeded from the master intelligence of the universe, into the intricate web of the world's life and interests, we can not extricate ourselves if we would. Let us take our place with confidence and that ancient invincible courage which has surmounted and dominated every difficulty and danger heretofore. Instead of inviting aggression and peril by hopeless effort to shut ourselves out of the concerns of mankind, let us boldly bear our part and courageously, hopefully, face the responsibilities

which our power, our resources, and our masterful energy have evoked, and which we can not shun if we would.

Mr. Chairman, there is another thought which, in this connection, forces itself upon my mind, and I can only deal rapidly and superficially with the suggestion. In reconciling ourselves to the inevitable, and in enabling us to leisurely deal with the problem so fearful to those timid souls who despair of the Republic and who cling to the traditions of our national infancy, we may find comfort and satisfaction in the nature of the power under which the treaty was made and the real situation which its provisions have fortunately created.

I do not think we have always sufficiently appreciated the real meaning and purport of our Federal Constitution and the scope of that sovereignty with which it found the already united people endowed and which its provisions only operated to establish and confirm, especially that phase of it which concerns our attitude and relations to foreign powers.

The theory has been too often and too hastily accepted that the sovereign power in our nation was the voluntary gift of the States. This theory is based upon the historic error that the States antedated the Union and that our Government was a meager and grudging contribution from a full treasury of national powers belonging to and inherent in each of the States. This sovereignty never came from the States as States.

The imperial power of the Crown was accepted and acknowledged with a loyalty and devotion that withstood great strain and many shocks almost if not quite up to the 4th of July, 1776. Long before that memorable date the people of the colonies had been united together not only in the bonds of kinship and a common origin, but also for purposes of defense and to secure a measure of central government and cooperation.

The great majority of the people were reluctant to sever their allegiance, and only a regretted necessity finally gave birth to the notion of national independence. Every effort was made to secure the rights guaranteed by the English laws and constitution. When, however, the last overture failed and the ultimate and supreme argument was resorted to and the Revolution was ushered in by the voice of that great bell whose notes have never ceased to vibrate around the world, we separated from the Crown of Great Britain, not as States, nor by the action of the States, not as individuals, each acting for himself and casting off his relations as a subject to come together and form a new political community, but we separated as a united people, and under a Revolutionary Government, through the Continental Congress exercising executive, legislative, and sovereign functions, we took our place among the nations. This Congress made treaties, formed alliances, disposed of cases of prize and capture, raised armies, and fought the battles of the Revolution.

This people separated from Great Britain as one people, and the imperial power of the Crown did not inhere in or revert to the States, but took refuge in the National Government which then had its birth. Incomplete and embryonic as it was, it had all the essential elements of national power, and the Federal Republic under the Constitution of 1789 was but the more perfect development of the nation already brought into existence by the pangs of the Revolution.

In the language of Justice Patterson in *Penhallow vs. Doane's Administrators* (3 Dallas, 54), speaking of the Revolutionary government, the forerunner of the Government under the Constitution, and thus furnishing almost contemporaneous interpretation—

The powers of Congress were revolutionary in their nature, arising out of events, adequate to every emergency and coextensive with the object to be attained. Congress was the general, supreme, and controlling council of the nation, the center of union, the center of force, and the sun of the political system.

To determine what their powers were we must inquire what powers they exercised. Congress raised armies, fitted out a navy, and prescribed rules for their government. Congress conducted all military operations by land and sea. Congress emitted bills of credit, received and sent ambassadors, and made treaties. * * * In Congress were vested, because by Congress exercised, with the approbation of the people, the rights of war and peace.

In every government, whether it consists of many states or of a few, or whether it be of a federal or consolidated nature, there must be a supreme power or will. The rights of war and peace are component parts of this supremacy. * * *

If it be asked in whom, during our Revolutionary war, was lodged and by whom was exercised this supreme authority, no one will hesitate for an answer. It was lodged in and exercised by Congress. It was there or nowhere. The States individually did not and with safety could not exercise it.

In another case, at nearly the same time, Chief Justice Jay said:

The Revolution, or rather the Declaration of Independence, found the people already united for general purposes and at the same time providing for their more domestic concerns by State conventions and other temporary arrangements. From the crown of Great Britain the sovereignty of their own country passed to the people of it. * * * The people * * * continued to consider themselves in a national point of view as one people; and they continued without interruption to manage their national concerns accordingly. Afterwards in the hurry of the war and in the warmth of mutual confidence they made a confederation of the States the basis of a general government.

Experience disappointed the expectations they had formed from it, and then the people in their collective capacity established the present Constitution. It is remarkable that in establishing it the people exercised their own

rights and their own proper sovereignty, and conscious of the plenitude of it, they declared with becoming dignity, "We, the people of the United States, do ordain and establish this Constitution." Here we see the people acting as sovereigns of the whole country and in the language of sovereigns establishing a constitution by which it was their will that the State governments should be bound, and to which the State constitutions should be made to conform.

The sovereignty in the United States, therefore, dwells and must dwell in the nation regarded as a political corporation. Back of the States and of all forms of government for the Union or the States we discern the nation, a political body composed of the people dwelling within the territorial limits of the revolted colonies. It is here we find the ultimate power termed "sovereignty." This is the political body which under the name of the "United Colonies" declared itself to be free and independent. The operative words of the immortal instrument are:

We, therefore, the representatives of the United States of America, * * * do, in the name and by the authority of the good people of these colonies, solemnly publish and declare that these United Colonies are, and of right ought to be, free and independent States.

The purpose was to sunder the tie that bound them to the Crown of Great Britain, and the words quoted do not import as to the States any assertion of independence of each other. It thus follows that the people in granting the power of declaring and making treaties intended to confer it in all its plenitude and in the light of the historic origin and development of the nation. The grant in the Constitution being general in its terms and unrestricted by any attempt at definition, carried with it all that was implied in its exercise by the independent sovereignties with which the revolutionary Government had previously come in contact.

Had it been intended to bestow upon the constitutional agencies a narrower measure of this power, it is fair to presume that some restrictive language would have been employed and that the general terms would have been qualified. There is therefore in the grant the full power to declare war for any cause deemed proper as a political question by the Congress, and in concluding it the power to make peace includes the power to annex any conditions and assume obligations and relations not forbidden in express terms or rendered impossible by the very nature and continued existence of the Government itself.

To what conclusion does this lead us? It is that through the treaty-making power we can acquire or surrender territory as other sovereign nations can, and through the same power attach any conditions to such acquisition or grant as may best secure the primary result sought to be obtained. If it be to end a war, we may do so conditionally or unconditionally, and stipulate in any way that may seem in the judgment of the political agency vested with the duty best adapted to that end.

The treaty-making power, therefore, in acquiring territory, which is admittedly within its scope, may impose any terms as to status, citizenship, trade, or administration of the taxing and fiscal policy which the exigencies of the national situation may be thought to require to obtain the concessions aimed at or that may be regarded as necessary to speedily put an end to burdensome or costly war, even though in the absence of such stipulations the Constitution might otherwise seem by its terms to carry citizenship and uniformity of taxation and trade regulations into such newly acquired possessions.

In other words, the Constitution itself, taking the entire instrument together and interpreting its grant of general war and treaty-making powers in the light of antecedent and contemporaneous conditions, intends by the general and undefined grant of these powers of war and peace that the nation shall have it in its full extent as understood and practiced among the great powers of the earth, and as it had been previously exercised by the already created nation itself; and that everything else in the Constitution, however otherwise apparently general in its terms, should be qualified and controlled by this full measure of sovereign power so essential to its own efficient exercise and existence.

The powers conferred upon the National Government may be divided into two classes—those which the consolidated nation must exercise in its relations to external countries and those which appertain to the Union in its relations to the several States and their domestic concerns. I submit that in ascertaining the scope of these two classes of powers a broader and more liberal construction will be appropriately given to the former than to the latter. As the States, even in their colonial period, always jealously claimed the fullest control over their own municipal and internal affairs, the strictest construction will be in order in determining the limits of the powers conferred upon the Government in derogation of these local and municipal powers of the States; and I am ready to concede that nothing will be intended to be granted to the General Government except what is expressly mentioned or clearly implied.

But as the States never had and never claimed individual national power or sovereignty in its international sense, and as the united body of the people of the States, and no one else, exercised all the prerogatives of an independent and complete nationality, it will be presumed that in conferring the powers of war

and peace without definition or limitation the grant was made in the fullest and most absolute sense; that this nation possesses these powers as completely as any other nation, and that to hold otherwise would be to belittle our country in the eyes of the world and to take away from it the very elements which under our system and its historic development can exist nowhere else, and the absence of which would send us helplessly adrift on the troubled seas of the world's politics.

We have shown that none of this power ever existed in the States; the Federal charter certainly never granted the smallest particle of it to the States, and the people in whom are the exhaustless reservoirs of all sovereignty, so far as this branch of it is concerned, never intended to deal it out in limited phrase to the Government they created to wield their powers. This power can only exist as a living national power and fulfill its purpose by having it all conferred upon the agency selected to actively exercise it.

To attempt to keep dormant any part of it, if such a thing were logically possible, would be to extinguish it altogether. I prefer to cast away all refinement on this subject and through the perspective of history see our country not as a fortuitous collection of States, but as one people united under national forms and exercising their vast power through a central government of its own making, springing from the quickening brain of the Revolution, clad in full panoply and wearing the crown of sovereignty on its dazzling brow.

So far as the treaty with Spain secures to us the cession of the Philippines, that is clearly within the scope of the treaty-making power. The acquisition of territory by conquest, contract, or occupancy is a long-conceded power of the National Government, and is no longer open to controversy. We long ago passed the point of discussion as to the constitutional power or policy of adding to our domain. Expansion has long been the practice of our Government—we may say the very law of our being. Long ago, almost in the very beginning of our national existence, Jefferson himself, the great apostle of the doctrine of a strict construction of the Constitution, the revered founder of the Democratic party, gave impulse to that policy which has moved on with ever-increasing momentum to this present day.

Many years ago, in the case of the American Insurance Company *vs.* Canter (1 Peters, 511), the Supreme Court said:

The Constitution confers absolutely on the Government of the Union the powers of making war and of making treaties; consequently that Government possesses the power of acquiring territory, either by conquest or by treaty.

In *Fleming vs. Page* (9 Howard, 614) the same court said:

The United States, it is true, may extend its boundaries by conquest or treaty and may demand the cession of territory as a condition of peace, in order to indemnify its citizens for the injuries they have suffered or to reimburse the Government for the expenses of the war; but this can be done only by the treaty-making power or legislative authority, and is not a part of the power conferred upon the President by the declaration of war.

Need I refer to the many precedents through our history of more than a hundred years in which territory was acquired under every variety of circumstance and condition?

Not only have the courts judicially declared the legality of such acquisition, but the political power charged with the responsibility of action in each case has asserted the propriety and wisdom thereof, and an unbroken line of signal instances, without regard to population, contiguity, or geographical situation, have committed us to the now much-derided policy of expansion and growth.

But why discuss this question at this time? We find ourselves confronted with the time-honored practice of the Republic and the fact of the possession of fruits of that policy in the magnificent cluster of States added to our Union and the broad domain over which the flag of our mighty empire floats. In the presence of that splendid reality the belated reasoning of the strict constructionist and anti-expansionist needs no further refutation.

So far as the Philippines are concerned, before the treaty was conceived they had become ours by the laws of nations and as a conquest of the war. The destruction of the naval power of Spain in that far-off archipelago made them ours. The immortal victory of our great admiral laid them helpless at our feet. By the laws of war they were ours, and conquest is the legitimate source of an indefeasible title.

In the convention which ended the war we could relinquish them or retain them. We chose to keep them, and supplemented our capture by the forms of cession and purchase.

It is conceded that the power to declare war resides in the Congress in the fullest sense. The question of war in any case is a purely political one, and the power exists absolutely to declare it for any cause, in the discretion of that constitutional body. There is no qualification or limitation on this power in the Constitution. If we may declare it for any cause and the nation and the States are bound by it, not because it is a power above or beyond the Constitution, but within its plain intendment, why is not the power to end such war by treaty equally broad and comprehensive?

If we may go to war for any cause, we have a right to wage it and bring it to a triumphant conclusion by every means that the God of nature and of nations has placed at our disposal. In ending that war, under a similar grant of power, we may use any means or inducements, make any stipulations, or submit to any conditions which may be deemed necessary in the judgment of the treaty-making power to obtain the desired result.

It will not do to say, "You can not acquire the Philippine Islands, or if acquired they must be obtained without condition and subject to a status immediately created by the Constitution." If we find it is necessary to a successful and complete ending of the war for the purpose of indemnity, for the purpose of disarmament, for any purpose that may enter into the consideration of the treaty-making power, it has the right to do it without condition, or it has a right under the Constitution to annex conditions.

If it annexes a condition as to citizenship, if it annexes a condition as to trade, if it annexes conditions of any kind that may seem to trench upon the otherwise general terms of the Constitution, we are bound to carry them out; not because they are higher than the Constitution, not because they are contrary to or outside of that Constitution, but because they are in harmony with it read as a whole and in the light of history and the interpretation which this Government and the people who created that Government have placed upon it from time almost out of memory.

The great trouble with those who oppose what they are pleased to stigmatize as the policy of imperialism is that they are impatient to force their hastily conceived views upon the Government at once without regard to present conditions or accomplished facts. They hasten to affix a name historically suggestive of anti-republican principles to a transaction legitimate and naturally resulting from the prosecution of a just and necessary war which had their approval and to the bringing on of which they actively contributed, and would have our Government throw up the possession of the islands and in the face of the accepted principles of international law and the universal judgment of the civilized world, attempt to relieve ourselves of the responsibilities which the present status has placed upon us, and thus desperately seek to escape the difficult yet stimulating task of working out a solution which will inure to the glory of our country and the everlasting advancement of our common race. That this is utterly inconsistent with the American character and contrary to the glorious traditions of the Republic I need not say.

The work of a liberating and civilizing free nation like America or England in dealing with peoples and lands which cession or occupancy has brought under its dominion is not to be confounded with the subjugation of helpless nations by a military or autocratic despotism.

It is a libel upon our country, with its love of free institutions, its devotion to the rights of man, its benign civilization, and its pervading sense of justice, to compare its fostering care of its Territories, its helpful organization of its frontier and outlying communities, its colonization of a wilderness peopled only by savage tribes, its gift of a firm but benign government and of law and order, to those distant islands who before only knew the fitful caprice and hostile rule of a cruel race, with the conquering march of the legions of a Roman despot whose uncertain tenure was the plaything of a pampered pretorian guard or the whim of an idle and turbulent city mob.

Whether we shall permanently retain the Philippines is still an open question, and we are still as much the masters of the situation and as competent to settle it as before the treaty. They were ours then and they are ours now. And if, in the providence of God and in the light of that better knowledge and maturer wisdom which must come with time and patriotic reflection, we find that our interests and those of the people of those islands would best be subserved by withdrawing our flag and handing them over to a government of their people capable of organized methods and self-restraint, there is nothing in the nature of a present pledge, obligation, or constitutional prohibition which could for a moment prevent us.

That we should deliver them back to Spain is unthinkable, and the universal sentiment of the nation and the world is against it. To leave them a prey to the savage thirst for blood and plunder of the wild hordes of the Tagal chief who represents but one of the many races who inhabit them would be but a bootless crime against civilization and humanity, and, indeed, would still leave us, under the laws of nations, responsible for that order and safety which our present situation has already charged us with.

While not assuming to decide at this time the destiny of the Philippines, I can not help believing that they will always be ours, and that instead of letting them relapse into the wild anarchy of their original barbarism, or even into the dim twilight of the half-civilized condition in which we found them under Spanish misrule, ours will be the beneficent mission of elevating them in the scale of humanity and bestowing upon them the genial influences of liberty and orderly government.

I believe that the ultimate outcome of the policy of this Government—although I claim no gift of prophecy—will be that that dark cluster of islands, so wondrously rescued from Spanish dominion by the conquering guns of our matchless fleet, will yet be lighted up with the genius and triumphs of American enterprise and American civilization. [Applause.] I have great hope for the future. I am optimistic in my faith as to the destiny of this great Republic. We have faced more difficult problems in the past. We have met and forever solved the question of our own national existence under the stress of the mightiest conflict that ever darkened the skies or reddened the earth with the blood of civil war.

I say that although we are not ready to commit ourselves as to an ultimate policy, yet, legally and constitutionally those territories now belong to us. They are our property, and as property we may in our own good time dispose of them. If we have the right to acquire them, then, under the constitutional provision enabling Congress to dispose of as well as to regulate territory, we can give them away.

If we finally ascertain that there is no organized government there; that the elements of an orderly and civilized society do not exist; that a people, many of whom fight with bows and arrows and who show, even under the best conditions of education and civilizing contact, that they still retain the childish and barbaric instincts of their aboriginal state; if it develops that the great mass of the natives are scarcely more than savages in tribal condition, and that they are incapable of self-government or of performing their international obligations and duties, we can deal with them as we have dealt with our Northwestern Territory or the Territories of Louisiana and Orleans and the wild tribes that roamed through their forests and over their prairies.

The same principle of international law which we held justified us, in the interests of good order and humanity, as well as of our own peace and security, in intervening to put an end to the disorders and intolerable conditions prevailing in Cuba and thus brought on the war with Spain will oblige us to retain our control over the Philippines until their peace and orderly government can be assured—by themselves if possible, by us if not.

That we have the power at any time to surrender these islands, either to the people inhabiting them or to any other power, should our interests or our duty so require, is plain from the express language of the Constitution, which says, in Article IV, section 3:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Territory acquired under the sovereign powers of the nation, like any other property, is subject to control and disposal at the will of the proper authority charged with the exercise of those powers.

As illustrative of the proposition that the right to acquire territory or property implies the right to alienate it, and that both are incident to sovereignty, I will refer to a citation or two from eminent authority. In Hall's International Law, pages 47-50, the author says:

The rights of a State with respect to property consist of the right to acquire territory, in being entitled to peaceable possession and enjoyment of that which it has duly obtained, and in the faculty of using its property as it chooses and alienating it at will. * * * The principle that the wishes of the population are to be consulted when the territory which they inhabit is ceded has not yet been adopted into international law, and can not be adopted into it until title by conquest has disappeared.

Halleck, in his International Law, page 125, states the rule thus:

A state being regarded in our law as a body politic or distinct moral being, naturally sovereign and independent, it is considered capable of the same rights, duties, and obligations with respect to other states as individuals with respect to other individuals. Among the most important of these natural rights is that of acquiring, possessing, and enjoying property. * * * A sovereign has the same absolute right to dispose of its territorial, or rather public, property as it has to acquire such property.

Clearly, then, the power to dispose of these islands as property, as well as to control and govern them, exists under the Constitution, and it is a matter of indifference whether it is implied in the treaty-making power or in the power conferred on Congress to dispose of the territory or other property of the United States. That a State may not be deprived of any of its territory without its consent, only emphasizes the power to dispose of the public domain of the National Government. We are thus enabled to reserve the right to adopt any policy that circumstances may dictate as to the Philippines and thus meet the timid suggestion that our present action will unalterably commit us to permanent annexation.

But the alarmists on the other side of the House—and there are a few on this side—see in this acquisition an irruption of the whole population of the archipelago into the sacred circle of American citizenship and the extension of our fiscal and revenue system over it by the fact of the ratification of the cession, and thus create in their minds a situation which would make us shrink from retaining the territory and decide us at once to reject or nullify the treaty by refusing the necessary legislative action.

Mr. Chairman, the treaty itself, under the argument I have already elaborated, provides for and settles this difficulty.

As to citizenship, Article IX of the treaty, after providing for a year's time in which the subjects of Spain may remove or reserve their allegiance to the Spanish Crown, thus stipulates:

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Even if, by reason of the assumed general terms of the Constitution in the absence of treaty stipulation, it be true, which I do not admit, that the Constitution would carry over to these people the political and civil rights of citizenship, yet here, as the treaty is within the scope of the national powers conferred and it provides that the Congress shall determine this status, it follows that until Congress acts they are aliens. Such is the meaning of the treaty. I may fortify what I have already said on the subject of the scope of that power under the Constitution by the judicial utterances of our highest court. In *De Geofroy vs. Riggs* (133 U. S., 258) the court said:

The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government or in that of one of the States, or a cession of any portion of the territory of the latter without its consent. But, with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country.

In the course of the opinion of the court in the late corporation of the Latter Day Saints vs. United States (136 U. S., 1) it was said:

The power to acquire territory other than the territory northwest of the Ohio River (which belonged to the United States at the adoption of the Constitution) is derived from the treaty-making power and the power to declare and carry on war. The incidents of these powers are those of national sovereignty and belong to all independent governments. The power to make acquisitions of territory by conquest, by treaty, and by cession is an incident of national sovereignty.

The Territory of Louisiana, when acquired from France, and the Territories west of the Rocky Mountains, when acquired from Mexico, became the absolute property and domain of the United States, subject to such conditions as the Government, in its diplomatic negotiations, had seen fit to accept relating to the rights of the people then inhabiting those Territories. Having rightfully acquired said Territories, the United States Government was the only one which could impose laws upon them, and its sovereignty over them was complete. No State of the Union had any such right of sovereignty over them; no other country or government had any such right. These propositions are so elementary and so necessarily follow from the condition of things arising upon the acquisition of new territory that they need no argument to support them. They are self-evident.

We were not bound to admit those people to citizenship in acquiring the territory they inhabit. There is nothing in our Constitution which so controls the making of a treaty by which territory is ceded that it dominates that treaty and annexes a status to the territory or its people in spite of its terms. We are, therefore, not bound to admit that people as citizens. Their sovereign has agreed for them that such admission is conditioned upon the discretion of the Congress, and until that body acts they are without political or civil rights.

Under the Constitution and laws, then, they are not citizens. The treaty-making power had a right to say that persons who were found in acquired territory did not by the mere fact of acquisition become entitled to citizenship, and it was so stipulated in terms in this instance.

A MEMBER. What is their status?

Mr. KIRKPATRICK. It is that of persons who are outside the pale of citizenship by the very provisions of the treaty itself. I might liken their status to that of the savage bands of our great Territories on the slopes of the Rocky Mountains. These Indians in their tribal condition are in a semi-independent state, subject to the government of Congress, it is true, but without the right of citizenship. They are so, even on their reservations within the limits and boundaries of the States.

It certainly would be in harmony with the practice and policy of this Government to deal with the semicivilized and barbaric tribes of those tropical islands as we did with the Indians in the Louisiana, Florida, and Mexican acquisitions. The great mass of the natives are in similar condition, and under the precedents and habitual attitude of our Government toward these tribes we need only continue the same relation toward the barbarians of the Philippines whom we find upon that acquired domain.

In *United States vs. Kagama*, 118 U. S., 375, it was held that—

While the Government of the United States has recognized in the Indian tribes heretofore a state of semi-independence and pupillage, it has the right and authority instead of controlling them by treaties, to govern them by acts of Congress, they being within the geographical limits of the United States, and being necessarily subject to the laws which Congress may enact for their protection and for the protection of the people with whom they come in contact.

In commenting on this case, Thayer, in his *Cases on Constitutional Law*, volume 1, page 364, says:

In dealing with the tribal Indians the United States Government has never proceeded on the theory that its action was restrained by the amendments or other like clauses in the body of the Federal Constitution.

But after all this matter of status is settled by the express stipulation of the treaty, and we are relieved of all further uncertainty or anxiety on the subject. So supreme is the treaty-making power that eminent authority has considered it paramount to the power of Congress in fixing the status of ceded territory.

Story says (section 1328):

The power of Congress over the whole territory is clearly exclusive and universal, and their legislation is subject to no control, but is absolute and unlimited, unless so far as affected by stipulations in the cession or by the ordinance of 1787 in which any part of it has been settled.

The treaty power as controlling the relations of the people of the Philippines to this Government in matters of political, fiscal, and commercial concern is thus firmly settled not only by the highest legal and judicial authority, but in the long-continued exercise of this authority, accepted and acted upon by Congress and the people from the earliest years of our national history.

In the case of the Louisiana treaty, Article III provided for and adjusted the political status of the inhabitants of the purchased territory as well as for its future incorporation into the Union. Articles V and VI of the treaty for the cession of Florida in 1819 contained substantially similar provisions. In the treaty of Guadalupe-Hidalgo, at the close of the Mexican war, Articles VIII and IX, in somewhat different language, similarly stipulated. The Gadsden-Mexican treaty in 1853 adopted the same provisions.

The Russian treaty of 1867, in Article III, furnishes a remarkable illustration of the assumption of the treaty power to fix and control the matter of political status, and I quote its language as furnishing food for reflection in connection with the present controversy:

The inhabitants of the ceded territory, according to their choice, reserving their national allegiance, may return to Russia within three years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion. The uncivilized tribes shall be subject to such laws and regulations as the United States may from time to time adopt in regard to aboriginal tribes of that country.

In the case of Hawaii both the treaty which failed and the joint resolution reenacting its provisions, embraced stipulations as to the status and rights of inhabitants.

Even in the case of the annexation of Texas, which was finally accomplished by a joint resolution, slavery was prohibited north of the parallel 36° 30'.

It will thus be noted that the practice has been to fix and control the political condition of the inhabitants in the various acquisitions of territory, covering vast regions and embracing every variety of population and climate, by the terms of the cession, and the privileges and immunities acquired have been those conferred by the treaties themselves. It is upon this theory that the Government has always proceeded, and the subsequent legislation of Congress has been adjusted to that assumption.

These treaties also regulated matters of trade and revenue, and in many cases, if not all, contained provisions which could only have been predicated upon the idea that the Constitution did not of its own force immediately attach its provisions as to uniformity of duties, taxation, and trade immediately upon the new territory becoming the property of the United States.

By the Louisiana treaty special privileges were given to the vessels of France and Spain and their colonies for the period of twelve years in the matter of import duties, and discriminating against other nationalities.

In the Florida treaty the following was provided:

That Spanish vessels coming laden only with provisions of Spanish growth or manufacture directly from the ports of Spain or of her colonies shall be admitted for the term of twelve years to the ports of Pensacola and St. Augustine without paying other or higher duties on their cargoes or of tonnage than will be paid by the vessels of the United States. During the same term no other nation shall enjoy the same privileges within the ceded territories. The twelve years shall commence three months after the exchange of the ratification of this treaty.

By the Russian treaty of 1824, adjusting the Alaskan boundary, certain trade and fishing privileges were secured to the citizens and subjects of the two contracting powers not applicable to other nations.

All these cases were regarded and acted upon as forming part of the law of the land, and the nation accepted, governed, and enjoyed the benefits of the territory thus acquired on that basis, notwithstanding these provisions might seem to be antagonistic to the constitutional provision against preferences to the ports of one State over those of another or that requiring duties, etc., to be uniform. The acquisition of territory, whether by treaty or Congressional action, is a purely political power reposed in these agencies by the Constitution. The interpretation from time to time placed upon the general and liberal terms of its grant fixes the scope of its exercise, even if there had been doubt as to its extent.

It is the action of the people, the absolute sovereign, in construing its own grant of power. In their control of their representa-

tives, by the power of public opinion expressed at the ballot box, and in the frequent election of their Senators and Representatives, they could have repudiated that interpretation.

The people thus are the interpreters of their own instrument, and by a long line of solemn and deliberately considered precedents they have indelibly fixed upon the Constitution the meaning we contend for. To this action and interpretation of the political power the courts must humbly bow and are as absolutely bound as by their own adjudication in a proper case.

Our Constitution, after all, is a growth. Although a written instrument, it was not one merely of definition. It was not framed in precise terms to meet every anticipated emergency that might arise in government and administration. It was wisely couched in general terms; it is expansive and elastic, and it has been found wonderfully adequate to every great crisis in the nation's history. The human mind is so constituted, the development of a highly civilized people is regulated and controlled by such laws, that their constitutions of government must obey the same principle of evolution.

Our Constitution was framed to meet the exigencies of a great and enterprising people, destined to work out on this virgin hemisphere the heretofore elusive problems of self-government and liberty regulated by law. Our body of constitutional law, therefore, like that of our English ancestors, is a combination of written and unwritten principles, a system made up of the articles and amendments from time to time added and the settled practice and precedents made through more than a century of administration.

If, then, the people have rightly interpreted their own instrument and from their decision there is no appeal; if they have unalterably committed themselves to the policy of expansion from which this Republic has had its miraculous life and growth; if the Union has possessed this constitutional power to acquire territory and the people have long ago so determined, the property so acquired becomes the valid property of the United States and may be dealt with by Congress at its pleasure as property and in the line of uniform and undeviating precedent. Until the territory is organized by Congressional action and citizenship conferred under the treaty provisions by the absolute power of Congress the matter must rest in the discretion of the Congress to take action at such time as may to that body seem wise and proper as in those earlier cases—

Mr. WM. ALDEN SMITH. Suppose it does not act?

Mr. KIRKPATRICK. Congress must determine the question in its own good time.

Mr. WM. ALDEN SMITH. But that is just a suggestion. Suppose Congress fails to determine it?

Mr. KIRKPATRICK. Then the status is that of a foreign country for all purposes of citizenship, taxation, and trade duties.

Mr. MOODY. And under a military government.

Mr. KIRKPATRICK. And under a military government, or, rather, a government in the continued exercise of a belligerent right over conquered territory continued until Congress extends the laws and Constitution over such territory.

This matter is judicially settled in the case of *Cross vs. Harrison* (16 Howard, 164), in which the Supreme Court say, referring to the condition of California, which formed part of the territory acquired under the treaty with Mexico, and whose condition was similar to that of the Philippines:

The formation of the civil government in California, when it was done, was the lawful exercise of a belligerent right over a conquered territory. It was the existing government when the territory was ceded to the United States, as a conquest, and did not cease as a matter of course or as a consequence of the restoration of peace; it was rightfully continued after peace was made with Mexico until Congress legislated otherwise, under its Constitutional power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

The tonnage duties and duties upon foreign goods imported into San Francisco were legally demanded and lawfully collected by the civil governor, whilst war continued, and afterwards, from the ratification of the treaty of peace until the revenue system of the United States was put into practical operation in California under the acts of Congress passed for that purpose.

In the case of *Fleming vs. Page* (9 Howard, 603), the Supreme Court, in ascertaining the relations of Tampico, a Mexican port captured by the armies of the United States and while in their possession, said:

By the laws and usages of nations conquest is a valid title while the victor maintains the exclusive possession of the conquered country. The citizens of no other nation, therefore, had a right to enter it without the permission of American authorities, nor to hold intercourse with its inhabitants, nor to trade with them. As regarded all other nations, it was a part of the United States, and belonged to them as exclusively as the territory included in our established boundaries. * * * While the territory was occupied by our troops they were in an enemy's country, and not in their own; the inhabitants were still foreigners and enemies, and owed to the United States nothing more than the submission and obedience—sometimes called temporary allegiance—which is due from a conquered enemy when he surrenders to a force which he is unable to resist.

In the same case, referring to Florida under the treaty of 1819,

and its condition even after the final transfer of that Territory to this Government, the court regarded the same doctrine as applicable, and in that connection, through Chief Justice Taney, said:

The Treasury Department, in no instance that we are aware of since the establishment of the Government, has ever recognized a place in a newly acquired country as a domestic port, unless it had been previously made so by act of Congress. The principle thus adopted and acted upon by the executive department of the Government has been sanctioned by the decisions in this court and the circuit courts whenever the question came before them. And all of them maintain that under our revenue laws every port is regarded as a foreign one unless the custom-house from which the vessel clears is within a collection district established by act of Congress and the officers granting the clearance exercise their functions under the authority of the laws of the United States.

Thus we see that until Congress by express act extends to such territory the Constitution and the laws of the United States it is, for purposes of political and fiscal status, essentially foreign territory and its inhabitants aliens, subject to the power of the Executive to wield the whole military power of the Government for the maintenance of peace and good order.

It is upon this principle that all our acquisitions have been treated. In most if not all the organizing acts of Congress in finally exercising its power to set up some regulation or form of government there has been included an express provision extending the Constitution and laws of the United States, so far as applicable, to such territory. This must be presumed to have been done upon the assumption by Congress that such express declaration was necessary to apply thereto such Constitution and laws, else why so formally reenact them?

What prevents us, then, from dealing with the Filipinos on that basis? What prevents us from suspending Congressional interference and awaiting the proper and reasonable opportunity to decide our final policy?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PUGH. I yield eight minutes more to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Kentucky yields the remainder of his time.

Mr. KIRKPATRICK. Now, Mr. Chairman, assuming that we have this full power to acquire this territory and in the acquisition of territory there being involved as a necessary corollary the power to deal with and dispose of it at our pleasure, we can give it away. Where is the prohibition against it? What prevents us even from giving back this territory to Spain, if we desire to do so, except the outraged sentiment and the scathing condemnation of the civilized world?

Mr. WM. ALDEN SMITH. Where is it specifically authorized?

Mr. KIRKPATRICK. Under the power to dispose of the territory and property of the United States, as I have already argued.

Mr. MOODY. And the power to make treaties.

Mr. KIRKPATRICK. Yes; and the power to make treaties. Why, the Democratic party, as well as its Whig opponents, in the time of the agitation of the Oregon question, you will remember, joined in the bellicose cry, "The line of 54.40 or fight." We all believed we had a great stretch of territory reaching to that famous parallel far into what is now conceded British dominion and overlapping even what we subsequently acquired in the cession of Alaska.

Mr. WALKER of Massachusetts. And we had.

Mr. KIRKPATRICK. Of course we had. But under the treaty with Great Britain we gave it away; and everybody believed we had a just constitutional, legal title to the country. It was only wise policy, perhaps a prudent generosity, that dictated the cession, the surrendering, or giving away that territory. Whether you call it an adjustment of boundary or the yielding of a great tract of land, it was done under the sanction of a treaty, and title passed away forever from the United States.

I say never give back the Philippines to Spain. Humanity, the cause of civilization, the honor of our country, all cry out against it. Our professions and pledges, the inspiring examples of our splendid past, the responsibilities which rest upon us as the result of that heroic rescue in Manila Bay, all summon us to the resolute and courageous performance of that duty which we can not ignore if we would.

Whether we shall give those islands to the Filipinos themselves depends upon what I conceive to be a very unlikely event in the lurid light of the bloody transactions which call still more loudly than ever for the swift and energetic exercise of intervening power.

Mr. VANDIVER. Will the gentleman allow a question?

Mr. KIRKPATRICK. One question; yes.

Mr. VANDIVER. What would be the status of those people under this annexing policy? Will the provisions of the Constitution apply to them, or not?

Mr. KIRKPATRICK. When Congress declares that they shall apply, as I think I have already shown.

Mr. VANDIVER. You think they will not apply until then?

Mr. KIRKPATRICK. Until that time, for purposes of internal

relation and as determining their political condition, they are practically foreign territory.

Mr. VANDIVER. You think, then, that the bill of rights in the Constitution does not apply to them?

Mr. KIRKPATRICK. The bill of rights may govern us in our beneficent administration of such provisional government as the President is authorized to continue in the absence of Congressional legislation. In the policy which the Executive will carry out in reference to them he will resort to those principles for his guidance, and in that way that bill of rights will doubtless apply, but until those territories are organized, they have, for practical purposes, and for purposes of citizenship under the deliverances of the Supreme Court of the United States, a relation to our Government, so far as the privileges of the Constitution are concerned, as if they were foreign territory.

Then why not recognize in these conditions and circumstances our opportunity and our duty? Why not approach the great task which lies before us and which the inexorable command of honor and a high responsibility calls us to discharge, in that spirit of hope and courage with which the wondrous achievements of our past have been wrought? I yet fail to see the evidences of anything except disorder and confusion in those islands which the brilliant daring and incomparable skill of our sailors and soldiers have brought under the folds of our glorious flag.

We can not leave that people and that fair domain, where nature scatters with lavish hand her tropical treasures, that haunt of a rich and growing commerce, as a prey to the terrors of barbaric war and insatiable plunder. The hordes of Aguinaldo represent no government and possess no quality of organization or authority that even entitle them to the privileges and standing of belligerents. Let us sustain with unstinted sympathy and aid our brave and devoted armies as they stand on guard at this outpost of the Republic and face with unflinching courage the savage and cruel foes who press from their lurking places in the jungles of Luzon upon our unbroken lines around Manila.

Already do we discover the proofs of the unfitness of that people to stand alone. Already does it seem that our destiny, so strangely and gloriously ushered in by Dewey's marvelous exploit, is to be forever linked by the ties of a firm but benign government, or at least a permanent protectorate, with that fair acquisition in those distant tropical seas.

I have no patience with those who would belittle their country, who would libel its proud name, by charging our attitude and presence in the Philippines as dictated by selfish interest and a cruel indifference to the rights of a struggling people. I have little faith in the patriotism of those, however loud and clamorous their professions, who for purposes of party success would misrepresent and stigmatize the earnest efforts of a high-minded and conscientious Administration to solve the pressing difficulties of a situation for which it was not responsible and which it vainly strove to avert.

Certainly this hour of danger and critical responsibility is not the time to lower our flag, reembark our armies, and order our fleet to steal away from the scene of its triumphs and its glory. Surely now is not the time to recklessly commit ourselves to a policy based upon no knowledge and born of a mischievous desire to find something to criticize and condemn; a policy of withdrawal and surrender which to-morrow we must repent of and, if not too late, hasten to repudiate. Shall we forfeit by such fatuous abandonment of the vantage ground we now hold, the respect and admiration of mankind and retire from that majestic position we have already so proudly taken?

Simply because many on the other side of the House and, I am sorry to say, a few on this, carp at and find fault with those whom the people have placed in power and seek for a watchword to stir the passions of a political campaign, shall we follow their dangerous lead, or shall we deal with this great question calmly, patriotically, and wisely, and under the well-settled conditions of this case, knowing that the treaty and this appropriation will not substantially change or affect the constitutional relation which we bear to that people and their territory?

Shall we not rather keep it in its present status as alien but subject property, and with a strong but kindly hand preserve the peace until the President's commission, now on its way with ample authority and opportunity for investigation, can advise and guide us through the tangled paths of the still undeveloped problem?

On that commission we find our brave Admiral, who has learned his lesson so well how to deal not only with the civilized and meddling powers who, before the echoes of his victorious guns had died away and the smoke that veiled the dazzling terrors of that awful disaster to the Spanish arms had faded into the skies, elbowed and jostled him on the very scene of his exploit, but also with the treacherous and bloodthirsty savages of the Philippine Islands. [Applause on the Republican side.]

We can well afford at least to await their report. My friends,

do not make the irretrievable mistake our opponents would commit us to. I know that my friends on the other side, if they had control of the Government, would do just as every conservative Democratic Administration has done in the past. You would interpret the Constitution in the interest of the continued vitality of the national and sovereign power. You were States-rights people out of power, but you were always nationalists in power. You never attempted to tear asunder our Federal Union until you saw yourselves about to be hopelessly driven out of power.

Until that time, notwithstanding the political doctrinaires who framed your platforms, and spun their entangling web of sophistry about your party organization, you magnified and stood by the national power whenever you had control of the national administration. You stretched that power as far as the most liberal implication could reach to add to the territory of slavery. But when you saw the North in its majesty and its power intrench itself forever in the greatness of its busy, teeming population and its mighty system of free labor, you lost all hope of controlling the Government through its national organization, and then for the first time your devotion to the States-rights idea took concrete form and blossomed into fratricidal war, threatening the destruction of the Union, the overthrow of our republican liberties, and the extinguishment of the streaming splendors of our national emblem. [Applause on the Republican side.]

I do not seek to revive ancient feuds or the memories of the errors of the past. In our happily reunited country the fires of patriotism burn high and clear, and in the common love of all for the Union, cemented anew by the blood of the struggle just ended, I find an ample pledge for the future.

Let us, then, not go back to the old days of a strict construction of our national prerogatives, and from the red burial of our great civil war exhume the dead doctrine of limited powers to palsy now the hand of our Government, when strength and courage and a liberal outlay of our power and resources are so much demanded. Let us not seek in national impotency the apology for cowardly abandonment of the mission to which we are so loudly called.

My friends, I appeal to every patriotic heart here to rise to the great occasion and deal with this question with a broad and liberal spirit—to deal with it with a high regard for the greatness and the dignity of the national power, and with a temper that must win for us honor and respect with sober, thinking men and the best sentiment of the civilized world. Let us calmly await the unfolding of the problem, and then approach it solemnly and prayerfully and solve it forever in the interest of human liberty and American civilization. [Applause.]

[Here the hammer fell.]

Our Relations to the People of the Philippine Islands.

"A great nation which has fleets and armies, muskets and Maxim guns, and cannon with which to fight its battles does not need the base weapons of falsehood and defamation."

SPEECH

OF

HON. E. W. CARMACK,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 27, 1899.

The House having under consideration the bill (H. R. 13066) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes—

Mr. CARMACK said:

Mr. SPEAKER: Reference has been made in the course of this debate to certain reckless accusations from irresponsible sources to the effect that gentlemen on this side of the Chamber, in criticizing the course and policy of the Administration, have been guilty of making war upon the soldiers of the American army now in the Philippine Islands. Perhaps it is hardly worth while to dignify such accusations with a reply; but I wish to place the assertion upon record, and challenge any man to refute it, that not one word has been uttered on this side of the Chamber—not one syllable—which anyone could possibly so interpret or construe. No honest man has made such an accusation, and no honest man has ever believed it. If such a charge has been made, here or elsewhere, it has been an act of cold-blooded mendacity, the dull calumny of some crawling demagogue who has sought to drag this question down to the level of his own understanding and capacity. [Applause on the Democratic side.]

I say to gentlemen on the other side of the Chamber, you shall not raise a false issue to confuse the judgment of the American

people. It is you and your course of "criminal aggression" which we arraign at the bar of the public conscience, and you shall not evade the issue by vapid declamation about the American soldier, whom you are to-day offering up as a sacrifice on your bloody altar of greed and conquest. We do not assail our soldiers in the Philippine Islands. We assail the remorseless, cruel, criminal policy which sent them there. [Applause.] They have had no part in shaping this policy. They, in common with all the American people, have been excluded from the councils of this Administration. Their simple duty is to obey orders and to follow the flag wherever you may choose to send it, even though it be into the depths of a tropical jungle, where they inhale the seeds of death with every breath they draw. They have done this with a valor and heroism which the world has applauded and admired, but you have yet to answer to the American soldier for sending him into the midst of these horrors and these perils for a purpose which you dare not reveal. Who speaks for the American soldier here?

A few days ago a distinguished gentleman on the other side, my colleague from Tennessee [Mr. GIBSON], declared that the American soldiers were protesting against being held to service in the Philippine Islands; that when the flag of Spain had been hauled down and all the declared purposes of the war had been accomplished, they felt that the war for which they had enlisted was over and that it was the duty of the Government to send them home. That, sir, I doubt not, truly expresses the feelings and sentiments of the American soldier. They feel that this Government has not acted toward them honorably and in good faith. They feel that after they had enlisted in a war for liberty and humanity they were forced into a new war for greed and oppression. We stand here, sir, in the very name of the American soldier, voicing that very protest upon this floor. Who, sir, is the friend of the American soldier? Is it the party which wickedly devotes him to death and disease in a distant land, or is it the party which seeks to rescue him and restore him to his family and his country? Sir, if the opinions of the American soldier could evade the censor at Manila, whose business it is to keep the truth from the American people, you would hear an answer to that question louder than the roar of cannon. [Applause.]

Mr. Speaker, not only do I accord all honor to the brave men who are fighting and suffering in the Philippines, but I go further. I say that if this Government shall continue to assert its sovereignty over the Philippine Archipelago, if it shall resolve to hold that country as a part of our dominions and to govern it as a vassal province, then, though that policy be, in our opinion, a blunder and a crime, there is nothing to be done but to uphold it and enforce it with all the military and naval power of the United States. There is nothing to be done but to continue the work of slaughter, if need be, until that country reeks and swims in the blood of its people. There is nothing to be done except to shoot down every man who cries aloud for liberty and independence. There is nothing to be done except to go on feeding the flower of our youth to the remorseless jungle until, at whatever cost and whatever sacrifice, we have crushed out of the hearts of those people the last hope of freedom. I am for my country, right or wrong, but until it is irretrievably committed to the wrong no amount of misrepresentation, no amount of abuse, no amount of slanderous scurrility shall keep me from exerting all my humble powers to keep it right. [Applause.]

Mr. Speaker, I call upon gentlemen upon the other side of the Chamber to reduce their vague denunciations to specific form. For what are we arraigned and accused? What is the head and front of our offending? What is it, except that we have definite views and dare to proclaim them, while whatever policy you have you dare not reveal it to the American people? The President himself has told us, over and over again, that it is not with him but that it is the duty of Congress to declare the policy of the Government upon this question. Sir, if it be the duty of Congress, where is the crime if we insist that Congress shall proceed to the discharge of that duty? If we, as members of Congress, propose a policy for your reception or rejection, how dare you denounce us for doing so unless you are prepared to denounce the policy we propose? Our views are comprehended in the general maxim that "forcible annexation is criminal aggression." Dare any man on that side of the Chamber declare his opposition to that principle? Specifically, we declare that we are opposed to forcibly and permanently holding the Philippine Islands without the consent of their people. I challenge any member on that side of the Chamber to rise in his place and say that the Republican party is in favor of it. Whatever may be your secret thoughts and your secret purposes the Republican party dares not tell the American people that it condemns the policy we propose. It only condemns us for proposing it. [Applause.]

The gentleman from Ohio [Mr. GROSVENOR] tells us that whatever may be our differences of opinion this is not the time to proclaim them. Why is it not? The country is now hesitating upon the verge of a policy which in our opinion, which in the opinion

of many of its ablest and most thoughtful men, puts its peace and liberty to the hazard. When, if not now, is the time to speak? Shall we remain silent and unprotesting until the policy we oppose has been fixed and riveted upon the country? It is the most pitiful nonsense to say that because fighting is going on in the Philippine Islands we shall not consider the welfare of the American people. Have we not a right even to ask what we are fighting for?

Sir, we have a most remarkable situation. We are waging a bloody and destructive war in a far-distant country, and no man out of 75,000,000 people knows for what purpose it is being waged, or, if anyone knows, he dares not give it utterance. A distinguished Republican leader on the other side of the Chamber, the gentleman from Iowa [Mr. HEPBURN], declared his opinion a few days ago that it was the purpose of this Government to hold the Philippines temporarily until it could establish peace and order, and then that it would grant them liberty and independence. That was his guess at the policy of the present Administration. Another distinguished leader on that side of the Chamber [Mr. HENDERSON] declared his emphatic opposition to this country's permanently holding the Philippines as an American colony or imposing a government upon the people without their consent.

On the other hand, the distinguished gentleman from Ohio [Mr. GROSVENOR] declares that neither this nor any other Republican Administration will ever consent to withdraw the emblem of our sovereignty and dominion; and he bases this declaration not upon any sentimental consideration for the rights, the interests, or the welfare of those people, but purely upon the right of conquest and the power of the sword. Other distinguished Republican leaders, when pressed to express their views upon the question, have evaded and refused to answer.

Thus, Mr. Speaker, we find two classes of statesmen on the Republican side of the Chamber, holding utterly hostile and irreconcilable views upon this great question of public policy, and a third class, probably more numerous than either, which dares not let the people know what their opinions and intentions are. Yet they are all united in eulogizing the unknown policy of the Administration and all united in denouncing the Democrats upon this floor. It is difficult, sir, to understand the strange hypnotic power which the Administration exercises over the advocates of these conflicting views. The gentleman from Iowa [Mr. HEPBURN] is no doubt firmly persuaded that the Administration shares his views on this question, and that it intends to give liberty and independence to the people of the Philippine Islands. The gentleman from Ohio [Mr. GROSVENOR] is as firmly convinced that it intends to hold them forever as a vassal colony and govern them as a conquered province.

But we on this side of the Chamber know that both of these policies can not be right and that both of them can not prevail; and we ask you here, in the name of the American people, to make your choice between them and openly proclaim it to the world. For which of these two policies are you waging war? For which of them are you spending the money and shedding the blood of the people? Somewhere in the subterranean caverns of the Presidential mind there is a policy in pursuance of which those scenes of death and horror are being enacted in the Philippine Islands, but no man knows what it is, or if he knows he dares not proclaim it to the American people.

You say to the people of this country, "Give us of your taxes, that we may prosecute war in a foreign country." You say to the mothers of the land, "Give us of your sons, that we may waste the strength of their youth in the deathly Tropics or scatter their bones among its swamps and jungles." And when we ask you for what purpose these sacrifices are demanded, what object you expect to accomplish, what policy you intend to advance, you reply that we are traitors, but you do not answer the question. [Applause.]

You have never intended that the American people should know what you intend to do. Why do you not drag your policy out of the White House closet and strip it stark naked to the public eye? It is because you wish to confuse the people as to your real intentions. If you were to declare such a policy as that advocated by the gentleman from Iowa [Mr. HEPBURN], you would bring down upon your heads the wrath and condemnation of those who think like the gentleman from Ohio [Mr. GROSVENOR]. If you should frankly avow a policy of territorial conquest and colonial empire, you would alienate the great body of voters, who have been led to believe that you were simply out on a mission of humanity and brotherly love. By refusing to make any declaration of your policy you hope to keep the people deceived until that policy has been fastened upon the country.

You are angry with us simply because we demand that you shall come out into the open and deal frankly with the people. We are "traitors" simply because we have unmasked a policy of humbug and double dealing. I again ask and challenge an answer, What is the policy for which the Republican party is waging a war in the Philippine Islands?

The gentleman from Ohio [Mr. GROSVENOR] says that we are fighting to suppress an armed insurrection against our authority. But that simply evades the question. After you have accomplished that object; after you have killed the last armed inhabitant or brought them all groveling for mercy at your feet, what then do you intend to do with the people and with the country? Until you have answered that question no man will know the purpose for which the war is waged.

The gentleman from Ohio [Mr. GROSVENOR] says that we are fighting there purely in self-defense, that we are only resisting attack. In the first place, Mr. Speaker, this is not correct. We have attacked and captured Iloilo. We have carried aggressive war into other islands where not a hostile shot has been fired. We are actively prosecuting a war of conquest and not a war of self-defense. It is not worth while to inquire who fired the first shot. It may be that the battle was precipitated by the violence, the folly, or indiscretion of the Filipinos themselves, but I know that all the news that comes from there is sifted through the fingers of a military censor, and I do not accept such news as a complete and impartial statement of all the facts. But, however this may be, we know that we should have fired on them even if they had not fired on us. We know that the President in his proclamation had plainly told them that if they did not forego their demand for liberty and independence and submit to the mastery of this country they would be compelled to do so by force of arms. The purpose, therefore, to wage an aggressive war, a war of conquest, was already known and declared.

The President has said, and his representatives have repeated it on this floor, that it is not the proper time to give assurances to the Filipinos while they are shooting at our soldiers. I admit, Mr. Speaker, that it would have been better if we had done so before a single shot was fired or a drop of blood was shed. What excuse have gentlemen for refusing to declare the policy of the Government when urged to do so, long before the beginning of actual hostilities in the Philippines? What excuse has the President? When the gentleman from Iowa [Mr. HEPBURN] declared that it would be the policy of this Government to deal with the Philippine Islands precisely as it is proposed to deal with Cuba, I answered him that if that declaration should be authoritatively made by this Government the danger of a bloody collision in the Philippines would pass in an hour.

Why, sir, that is the very thing they asked us to do. They declared their willingness for us to maintain our military and naval forces there to restore peace and order, to protect life and property, and to establish a stable government; they only asked of us the assurance that when all this had been done they should be allowed to be free, though under a protectorate, if we desired, of the United States. In exchange for this we could have had naval and coaling stations and all the military and commercial privileges we might desire. What more could we have asked? Why should we have dealt with them otherwise than with the people of Cuba? Admiral Dewey says: "These people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races." Of course there are in the interior a considerable population, little removed from barbarism, who are not governed at all. They have never been governed by Spain and would not be governed by us; but of the population that would have control of the affairs of government Admiral Dewey, who knows both peoples well, says that they are far superior to the Cubans, to whom we freely accord the right of self-government.

But, Mr. Speaker, it is not a question of giving assurances to the Filipinos. We ask you, in the name of the American people, whose interests are at stake, what is your purpose; what do you intend to do? Why should not your own people be permitted to know something of the policy in pursuance of which you are spending millions of money and shedding torrents of blood? [Applause.]

But, Mr. Speaker, I say there is every reason why in honor, in justice, and in good faith we should have acted with the utmost indulgence and consideration toward our late allies in the war with Spain. Whatever gentlemen may say, they were our comrades, our brothers-in-arms. The manner in which we sought and obtained the cooperation of Aguinaldo and his followers, the inducements that were held out to them, and the exceedingly efficient services they rendered in the campaign, has placed this country under an obligation which it can not lightly disregard. In order to break the force of this the gentleman from Ohio [Mr. GROSVENOR], in utter defiance of unquestioned evidence as contained in the official history of the Manila campaign, flatly denies that any cooperation was ever asked or any assistance received from Aguinaldo and his forces.

He asserts that so far from seeking the aid of Aguinaldo and his compatriots, this Government, through its representatives, treated them with ignominy and with brutal insult—in the gentleman's own words, they were told to "get out or they would be kicked out." But when the gentleman was pressed on this point

he admitted that this occurred after the capture of Manila, after the campaign was ended, after the services of Aguinaldo and his army were no longer needed. Let the gentleman beware lest he write a record for his Administration for which he himself must blush for shame.

I assert the fact to be, and I shall prove my assertions by the record, that this Government, through its own officials, solicited the aid and cooperation of Aguinaldo and obtained it; that in pursuance of that arrangement he organized and equipped an army, put it in the field, gained victory after victory, drove the Spanish forces steadily before him, hemmed them up in the city of Manila, and rendered the capture of that city easy when otherwise it could only have been taken after a stubborn resistance and a bloody battle. All these facts, sir, I assert upon the testimony of American officials, civil and military, parties and eye witnesses to these scenes and transactions. During all this time I assert that Aguinaldo was treated as a friend and an ally, and with every mark of consideration and respect. But after all these services were rendered, says the gentleman from Ohio [Mr. GROSVENOR], without any cause or excuse alleged, he was treated with studied insult and contempt.

Mr. Speaker, I propose to review a little history of the Philippine insurrection against Spain. I hold in my hand Senate Document No. 62, containing a message from the President transmitting the treaty of peace with Spain, and containing the official reports concerning affairs in the Philippine Islands during and immediately after the war and the testimony taken before the Paris Peace Commission.

Long before the beginning of our war with Spain the people of the Philippine Islands had risen in insurrection and had conducted their operations with such vigor that Spain had sued for peace and obtained it by the promise of great and radical reforms of existing abuses. She had also promised to pay a considerable sum of money for the benefit of those whose property had been confiscated and who, by the terms of the agreement, were to be exiled from the country. Among these was Aguinaldo. Only one-half the money was paid and none of the abuses were reformed. The money that was paid was held in trust by Aguinaldo for the purpose of using it to promote a new insurrection if the Government of Spain failed to redeem its promises. This money was used for this purpose.

A new insurrection began and was being conducted vigorously and prosperously when war broke out between the United States and Spain. In a letter to the State Department, dated February 22, 1898, Consul Williams, at Manila, wrote:

Conditions here and in Cuba are practically alike. War exists, battles are of almost daily occurrence, ambulances bring in many wounded, and hospitals are full. * * * The Crown forces have not been able to dislodge a rebel army within 10 miles of Manila, and last Saturday a battle was fought and five left dead on the field. * * * A republic is organized here as in Cuba. Insurgents are being armed and drilled, are rapidly increasing in numbers and efficiency, and all agree that a general uprising will come as soon as the Governor-General embarks for Spain. * * * All authorities now agree that unless the Crown largely reinforces its army here it will lose possession.

Again, in a letter of March 19, Consul Williams writes:

Insurrection is rampant—many killed, wounded, and made prisoners on both sides. A battle ship sent this week to the northern part of Luzon to co-operate with a land force of 2,000 dispatched to succor local forces overwhelmed by rebels. Last night special squads of mounted police were scattered at danger points to save Manila.

From these reports, sir, the fact appears that the Filipinos were already conducting a very vigorous and hopeful insurrection at the very time when hostilities began between this country and Spain. It was under these circumstances that the aid and assistance of Aguinaldo and the cooperation of his forces with Dewey's fleet was solicited. He was at that time in Hongkong, not, as the gentleman from Ohio [Mr. GROSVENOR] says, as a mere "vagabond," but actively engaged in promoting the cause of the insurrection in the Philippine Islands.

The gentleman from Ohio [Mr. GROSVENOR] has devoted a great deal of useless labor to proving that there was no formal treaty between this Government and any government in the Philippine Islands. Nobody has ever pretended that there was. What we do say is that the officials and representatives of this Government, civil and military, sought and asked the aid and cooperation of Aguinaldo and his forces, knowing at the time that they were fighting for liberty and independence, and that they obtained this aid and cooperation and that it greatly aided in the successful prosecution of the Manila campaign. The gentleman from Ohio [Mr. GROSVENOR], in discussing the question of a treaty, which nobody has alleged, has sought to shift the issue of fact which he himself presented. In questioning the gentleman from Kentucky [Mr. SETTLE] the other day the gentleman said:

I understand the gentleman to say that the United States accepted the cooperation of the Filipinos. Now, where is that evidence? What fact have you, not your own statements, what facts based upon any order or decree or communication made by this Government or any officer representing this Government—upon what fact do you base the statement that there was any

acceptance of Aguinaldo or any cooperation on the part of the Filipinos to lend aid? Is it not, on the contrary, the fact that the first soldier that landed carried with him a proclamation ordering that the armed Filipinos should not enter Manila and should not fight the Spanish?

When asked if he denied that there was such cooperation he answered, "I do, most decidedly." Mr. Speaker, it is unfortunate for the gentleman from Ohio [Mr. GROSVENOR] that he should have used this word "cooperation" in making his denial. That very word comes to the front in the very first appearance of Aguinaldo on the scene, and it will rise up to plague the gentleman again and again in the course of the subsequent proceedings. I invite the gentleman to the record. Consul-General Pratt, in a letter to the State Department on April 28, gives an account of his interview with Aguinaldo, who, he said, though absent from the Philippines, was still directing the insurrectionary movement there. Prior to sending this letter he had cabled the Secretary of State as follows:

General Aguinaldo gone my instance Hongkong, arrange with Dewey co-operation insurgents Manila.

In describing his conference with Aguinaldo he says:

Having convinced him of the expediency of cooperating with our fleet, then at Hongkong, and obtained the assurance of his willingness to proceed thither and confer with Commodore Dewey to that end, should the latter so desire, I telegraphed the Commodore through the consul-general at Hongkong: "Aguinaldo, insurgent leader, here. Will come Hongkong and arrange with Commodore for general cooperation insurgents Manila if desired."

To this telegram Commodore Dewey replied as follows:

Tell Aguinaldo come soon as possible.

[Applause on the Democratic side.]

In a subsequent letter to the State Department in elucidating this arrangement, Mr. Pratt said:

Had it not been arranged for General Aguinaldo thus to cooperate with us it is more than probable that he would have returned to the islands of his own accord and undertaken independent operations which might have caused us serious embarrassment.

The gentleman from Ohio [Mr. GROSVENOR] told us on a former occasion that Aguinaldo could not even have returned to the Philippines had he not been assisted by Commodore Dewey. From this it appears that the Commodore's chief anxiety was lest he should go on his own account and conduct independent operations, and he preferred that he should go there as an ally of the United States.

I next call the attention of the House to a letter of Gen. Thomas M. Anderson, addressed to "Señor Don Emilio Aguinaldo, commanding Philippine forces." General Anderson was in command of the land forces of the United States. In this letter, after reciting the "entire sympathy and most friendly sentiments" of the United States for the people of the Philippine Islands, General Anderson adds:

For these reasons I desire to have the most amicable relations with you and to have you and your people cooperate with us in military operations against the Spanish forces.

And so on, Mr. Speaker, again and again. Aguinaldo is always addressed as "General, commanding the Philippine forces." He is "requested" to grant passes to American officers, to permit them to see his maps, etc. In every respect he is treated as an ally, and though the gentleman may be able to prove by law books that he did not possess that character, he was so regarded, he was so treated, he was so described by American officers with whom he was cooperating in the Philippine Islands. I call the attention of the House to the testimony of Commander Bradford taken before the Paris Peace Commission. When asked by Mr. FRYE as to our duty toward Aguinaldo and his followers, in view of the fact that we had furnished him four or five thousand stands of arms and "accepted his aid in conquering Luzon," Commander Bradford replied: "He is our ally and we are bound to protect him."

Now, Mr. Speaker, it appears beyond question that Aguinaldo and his army did "cooperate" with the American forces; that this cooperation was obtained by the solicitation of Consul-General Pratt and Admiral Dewey, and that the State Department at Washington was promptly informed at the very beginning that such an arrangement was in contemplation. The further fact is, Mr. Speaker, that the representatives of this Government sought the alliance with the Philippine forces, fully and distinctly understanding that they were fighting for liberty and independence, and that they were opposed to annexation to the United States.

In a letter to the Secretary of State, dated May 5, 1898, Consul-General Pratt incloses a publication from the Singapore Free Press relating the circumstances of the arrangement with Aguinaldo. In regard to this publication the consul-general says that "the facts are, in the main, correctly given." In giving an account of the conference, the report says:

He (Aguinaldo) further declared his ability to establish a proper and responsible government on liberal principles, and would be willing to accept the same terms for the country as the United States intend giving to Cuba. The consul-general of the United States coinciding with the general views

expressed during the discussion, placed himself in telegraphic communication with Admiral Dewey at Hongkong.

The report further gives a statement of Aguinaldo's policy, which includes independence for the Philippines, whose internal affairs would be controlled under European and American advisers. American protection would be desirable temporarily on the same lines as that which might be instituted hereafter in Cuba. The ports of the Philippines would be free to the world, etc., continuing with a very intelligent and statesmanlike statement of reforms to be accomplished and policy to be pursued.

And not only this, Mr. Speaker, but Aguinaldo and his associates were in some way led to believe in those conferences with an American consul-general that the Government of the United States would support their demands for liberty and independence. The gentleman from Ohio [Mr. GROSVENOR] has read the protestations of Mr. Pratt and others denying that he had given any assurances to Aguinaldo; but these protests were made after Mr. Pratt had been sharply rebuked by the Secretary of State for doing that very thing, the fact of his having done so being disclosed in his own correspondence. In a letter to the State Department dated June 9, 1898, Consul-General Pratt tells of a deputation of Philippine residents of Singapore who waited upon him "upon the occasion of the receipt of news of Aguinaldo's recent successes near Manila." Mr. Pratt incloses in this letter the written address which was read by the spokesman of the deputation, and his own reply.

In the course of this address the following language was used:

Our countrymen at home and those of us residing here, refugees from Spanish misrule and tyranny in our beloved native land, hope that the United States, persevering in its humane policy, will efficaciously second the programme arranged between you, sir, and General Aguinaldo in this port of Singapore, and secure to us our independence under the protection of the United States. Our warmest thanks are especially due you, sir, personally, for having been the first to cultivate relations with General Aguinaldo and arrange for the cooperation with Admiral Dewey, thus supporting our aspirations, etc.

Here, sir, is a distinct statement addressed to Consul-General Pratt by leading Filipinos, declaring that he had arranged a programme with Aguinaldo to secure the people of the Philippine Islands their liberty and independence. Such was their understanding of the terms. Did Mr. Pratt in his reply to this address disavow or repudiate the action imputed to him? Did he say anything to undeceive them? Not a word. Here is what he did say:

I am thankful to have been the means, though merely an accidental means, of bringing about an arrangement between General Aguinaldo and Admiral Dewey which has resulted so happily.

He also spoke in high praise of "the brilliant achievements of your own distinguished leader, cooperating on land with the Americans at sea."

In reply to the consul-general's letter containing an account of these proceedings the Secretary of State said that the—

extract communicated by you has occasioned a feeling of disquietude and a doubt as to whether some of your acts may not have borne a significance and produced an impression which this Government would be compelled to regret. The address presented to you by the twenty-five or thirty Filipinos who gathered about the consulate discloses an understanding on their part that the object of Admiral Dewey was to support the cause of General Aguinaldo and that the ultimate object of our action is to secure the independence of the Philippines under the protection of the United States. Your address does not repel this implication, and moreover it represents that General Aguinaldo was "sought out by you." * * * Your reference to General Aguinaldo as "the man for the occasion," and to your "bringing about the arrangement between General Aguinaldo and Admiral Dewey which has resulted so happily" also represents the matter in a light which causes apprehension lest your action may have laid the ground of future misunderstandings and complications.

The plain fact is, Mr. Speaker, that those who were representing this Government in the Philippine Islands and neighboring ports assumed as a matter of course that the Administration intended to act according to its own maxim, that "forcible annexation is criminal aggression," and did not dream that a war for liberty and humanity was to degenerate into a war of conquest and dominion. Acting upon this assumption, they solicited and obtained the active cooperation of the Philippine insurgents, holding out to them as an inducement the promise of liberty and independence. Secretary Day, in the letter from which I have quoted, showed that he thus understood the significance of the arrangement with Aguinaldo which was brought about by our consul-general at Singapore.

The gentleman from Ohio [Mr. GROSVENOR] laughs at the absurdity of this Government being in any way responsible for the acts of a "little consul." Mr. Speaker, if the action of Consul-General Pratt in this matter was a matter of so little consequence, why did it cause such trouble and disquietude at the State Department? Secretary Day did not laugh and grow humorous when he found that our consul-general, acting for the Government of the United States, had obtained the powerful cooperation of the insurgent forces by leading them to believe that this country would help them to obtain their liberty and independence. He foresaw then that the action of this Government's own authorized repre-

sentative had laid the foundation for a bitter and bloody war, if this country should undertake to hold and rule the Philippines as a conquered province, and for a well-founded charge of treachery or bad faith if it should choose to abandon them to the mercy of Spain.

But while the Secretary of State thus rebuked our consul-general at Singapore for the manner in which he had conducted his negotiations with Aguinaldo, nothing was done to undeceive the latter and his followers. Until the campaign was practically ended he never received an intimation that this Government, in the language of Secretary Day, "only knew the Philippine insurgents as discontented and rebellious subjects of Spain," and that it was "not acquainted with their purposes." When he landed in the Philippines he issued an address to the people in which he openly proclaimed that the forces of the United States were there to help them achieve liberty and independence.

Thus, Mr. Speaker, the fact appears—

First. That the cooperation of Aguinaldo and his followers was sought and obtained by the representatives of this Government.

Second. That it was distinctly understood when this arrangement was made that those whose aid and cooperation were thus sought and obtained were fighting for independence and that they were opposed to annexation to the United States.

Third. That the Philippine leaders were positively encouraged by those acting as representatives of the United States Government to believe that this country would assist them to realize their aspirations.

Now, Mr. Speaker, what was the nature and the value of the services rendered by Aguinaldo and his forces? Did they render material aid and assistance in the prosecution of that campaign? I quoted the other day from memory, not having the volume before me, the testimony of General Greene on this point, and the gentleman from Ohio [Mr. GROSVENOR] challenged me to produce such testimony. I now read from the testimony of General Greene before the Paris Peace Commission in regard to the effect of Aguinaldo's military operations against Manila:

Between 2,000 and 3,000 Spanish native troops surrendered to it (Aguinaldo's army) during the months of June and July. It constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night, and wearing them out with fatigue, and it invested Manila early in July so completely that all supplies were cut off and the inhabitants as well as the Spanish troops were forced to live on horse and buffalo meat, and the Chinese population on cats and dogs. It captured the waterworks of Manila and cut off the water supply, and if it had been in the dry season, would have inflicted great suffering on the inhabitants for lack of water.

These results, it is true, were obtained against a dispirited army, containing a considerable number of native troops of doubtful loyalty. Yet from August, 1896, to April, 1897, they fought 25,000 of the best regular troops sent out from Spain, inflicting on them a loss of over 150 officers and 2,500 men killed and wounded, and they suffered still greater losses themselves.

General Whittier, who received the surrender of Manila, also gives testimony as to the efficient services rendered by Aguinaldo and his army. He tells us that the insurgents drove the Spanish forces twenty odd miles from Cavite into the defenses of Manila, and that the Spaniards never made upon them a successful attack, never a capture of arms or men.

All the success was on the natives' side, and the Spaniards surrendered between 7,000 and 8,000 men, well armed, plenty of ammunition, and in good physical condition. The excuse of the latter may be that their enemy was in small bands; but they never captured one of these, and the small bands drove them to their walls.

General Whittier further says that from the time of the return of Aguinaldo to the Philippine Islands—

the military operations and the conduct of the insurgents have been most creditable. Positions taken and the movement of troops show great ability on the part of some leader—I do not say it was necessarily Aguinaldo, but he gave the directions.

When the question was put to General Whittier by Senator FRYE as to whether the Filipinos had been of material assistance to us, General Whittier answered:

Very great. If the protocol had not been signed I think the Spanish at home would have insisted upon their army doing something. They dismissed Augustin because he was not disposed to fight, and I think if they had not had this experience of having been driven back into the city and the water cut off, so even that Jaudenes said he could not remove his noncombatants, the government would have insisted on his making a fight, and he could have made a very good one, for his position was strong, if they had any fight in them at all. But every place had been taken from them by the Filipinos, who managed their advances and occupation of the country in an able manner.

Mr. Speaker, there is ample other testimony as to the valor and efficiency of our Philippine allies in that war, but this is enough. I confidently place this undisputed testimony of American soldiers against the ignorant and reckless assertions made on this floor.

But, Mr. Speaker, gentlemen on the other side imagine that they can find some excuse for their present conduct by heaping the most bitter denunciations upon Aguinaldo. The gentleman from Ohio [Mr. GROSVENOR] and others have described him as a "vagabond," a "scalawag," a "scoundrel." They boldly declare that he had

sold and betrayed the liberties of his country for a Spanish bribe. Mr. Speaker, what must be the opinion of these gentlemen of Admiral Dewey, of Consul-General Pratt, and of other American officials and representatives there upon the scene, who had every opportunity to know the character of this man and yet sought him out, solicited his aid, and selected him above all others for an undertaking in which fidelity, integrity, courage, and intelligence were absolutely necessary?

Admiral Dewey needed for his purpose a man of standing, of character, of commanding influence; and he selected, if we may believe the gentleman from Ohio [Mr. GROSVENOR], a "vagabond" and a "scalawag!" He needed a man whom he could thoroughly trust, upon whom he could implicitly rely; and he selected a treacherous, mercenary scoundrel! He needed a man to whose standard the Filipinos would gather with enthusiasm, whom they would follow with absolute faith and confidence; and he selected a man who but recently had sold and betrayed them! And remember, Mr. Speaker, that Admiral Dewey was there upon the scene, that he was giving close attention to the situation, that he had every opportunity to obtain accurate and authentic information in regard to the man with whom he was dealing.

These charges against Aguinaldo, sir, constitute a grave impeachment of Admiral Dewey, which the American people will be slow to accept; and they will not be surprised to learn that the charges are absolutely false; that they are utterly groundless; that they are not supported by a single shred or syllable of testimony except the bare statement of the honorable gentlemen who have uttered them upon this floor! Nay, more, Mr. Speaker, they are shown by undoubted, unimpeachable testimony to be entirely false and of malicious origin. It is fashionable, sir, for those who have no other resources of argument to deride members on this side of the Chamber as followers of Aguinaldo.

Sir, I have no romantic admiration for the Philippine leader. I am far from regarding him as a second George Washington, as he has been described by a distinguished Republican Senator. He no doubt has the faults, as well as the virtues, of his kind, but I say, sir, that a great nation which has fleets and armies at its command, which has muskets and Maxim guns and cannon with which to fight its battles, does not need to fight so wretched an enemy with the base weapons of calumny and defamation. [Applause on the Democratic side.] I say that the charges which have been uttered upon this floor have been raked from the very sinks and gutters of Spanish calumny. These same Hessian falsehoods fought against liberty under the banners of Spain and they are now fighting for the same cause and against the same people under the banner of this Administration.

In this volume, sir, from which I have already quoted, Aguinaldo's life and character, all the important facts and incidents of his history are reviewed over and over again by witnesses of the highest standing, and in no single instance is there a word uttered to cast a shadow of doubt upon his integrity. The very Spanish falsehood, the fugitive slander which has reappeared in this country after being expelled in disgrace from the country of its origin, is but a perversion of facts which, when truly told, reflects the highest honor upon the man it was intended to defame.

I allude to the charge that Aguinaldo betrayed his country for a Spanish bribe. I have already briefly stated the facts in regard to this matter. The terms of the agreement between Aguinaldo and his associates and the Spanish governor-general of the Philippines specified numerous and important reforms for the benefit of the people of that country, including representation in the Spanish Cortes, freedom of the press, general amnesty for all insurgents, and the expulsion or secularization of the monastic order. Surely the man who demanded and obtained the promise of such reforms as the condition of peace can not be accused of being unmindful of the welfare of his countrymen. But the agreement also required that Aguinaldo and about fifty of his associates should leave the country and never return, the government agreeing to pay them the sum of \$800,000 in silver, of which only \$400,000 was ever paid.

Aguinaldo and the other revolutionists agreed among themselves not to take one cent of this money, but to hold it in bank to be used for carrying on another revolution in the Philippines in case the Spanish Government should fail to carry out its promised reforms and grant the promised amnesty to Philippine insurgents. Only four of the fifty-one persons expelled with Aguinaldo ever demanded a division of this money, the other forty-seven supporting him in the resolution to keep it intact for the purpose of a new war against Spain. The money was so kept and when the Spanish Government persistently refused to release insurgent captives from Spanish prisons and to execute the promised reforms a new insurrection was raised. Then it was that the charge was first made in Spanish newspapers, which has since been repeated on this floor and elsewhere in this country, that Aguinaldo had sold his country for a bribe. Now, Mr. Speaker, upon this very point I call the attention of the House to the report of Major-General Greene.

After relating the facts in regard to the peace agreement as I have stated them, General Greene says:

Aguinaldo and his associates went to Hongkong and Singapore. A portion of the money, \$400,000, was deposited in banks at Hongkong, and a lawsuit soon arose between Aguinaldo and one of his subordinate chiefs named Artacho, which is interesting on account of the very honorable position taken by Aguinaldo. Artacho sued for a division of the money among the insurgents according to rank. Aguinaldo claimed that the money was a trust fund, and was to remain on deposit until it was seen whether the Spaniards would carry out their promised reforms, and if they failed to do so, it was to be used to defray the expenses of a new insurrection. The suit was settled out of court by paying Artacho \$5,000.

No steps have been taken to introduce the reforms, more than 2,000 insurgents, who had been deported to Fernando Po and other places, are still in confinement, and Aguinaldo is now using the money to carry on the operations of the present insurrection.

Consul-General Wildman, at Hongkong, in a letter to the State Department, dated July 18, 1898, says:

There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold, but this has been conclusively disproved, not only by their own statements but by the speech of the late Governor-General Rivera in the Spanish Senate, June 11, 1898.

The fact that the money was used for the purchase of arms is shown not only by the testimony of General Greene, which I have before quoted, but by the report of Consul Oscar F. Williams, of Manila, dated May 24, 1898. In this report Consul Williams says:

To-day I executed a power of attorney whereby General Aguinaldo releases to his attorneys in fact \$400,000 now in bank in Hongkong, so that money therefrom can pay for 3,000 stands of arms bought there and expected here to-morrow.

The testimony of General Whittier also shows that Aguinaldo and his associates used this money for the purchase of arms and ammunition.

As to the character and standing of Aguinaldo, Consul-General Pratt says:

No close observer of what had transpired in the Philippines in the past four years could have failed to recognize that General Aguinaldo enjoyed above all others the confidence of the Filipino insurgents and the respect alike of Spaniards and foreigners in the island, all of whom vouched for his high sense of justice and honor.

He also speaks of him as "a man of intelligence, ability, and courage, and worthy the confidence that has been placed in him." Consul-General Wildman, of Hongkong, says:

I consider the forty or fifty Philippine leaders, with whose fortunes I have been very closely connected, both the superiors of the Malays and the Cebuanos, Aguinaldo, Agoncillo, and Sandico are all men who would be leaders in their separate departments in any country.

Maj. J. F. Bell, major of engineers and an officer on General Merritt's staff, and of whom General Merritt said:

He knows the army and navy officers from Aguinaldo down and had frequent conferences with him and his officers.

Thus testifies in regard to Aguinaldo:

Honest, sincere, and poor, not well educated, but a natural leader of men, with considerable shrewdness and ability; has the power of creating among the people confidence in himself, and is undoubtedly a very popular man, highly respected by all.

There is other testimony of the same character, Mr. Speaker, which I might quote showing the character and standing of Aguinaldo, and, I repeat it, there is not one line in all this record, not one word from one witness, so far as I have been able to discover, that reflects upon his honesty or his patriotism; and I again say, Mr. Speaker, that we have enough and to spare of American guns and American cannon with which to fight Aguinaldo and his forces without resorting to the Spanish weapon of falsehood and calumny. Gentlemen upon the other side of the Chamber have not read the testimony in this record, they are not familiar with the facts, for I do not believe that any one of them is capable of deliberate defamation.

Mr. Speaker, there is one other pretense which I wish to dispose of. Some gentlemen here have induced themselves to believe, or at least to assert, that the opposition which has developed in this country to the annexation of the Philippine Islands has encouraged Aguinaldo to fight for the independence of his country. That pretense, sir, can not stand in the light of this testimony. From the very beginning we had fair warning not only from the Philippine leaders, but from our own officers and from disinterested outsiders, who knew the spirit and temper of the Filipinos, that they would never peaceably submit to again be governed as a colony or province of any country. General Merritt, in his testimony before the Commission, said that Aguinaldo and his following would resist any effort on our part to hold the Philippines as a colony, though he was not sure whether he could hold his forces together for such an attempt. Major Bell said:

There is not a particle of doubt but what Aguinaldo and his leaders will resist any attempt of any government to reorganize a colonial government here. They are especially bitter toward the Spaniards, but equally determined not to submit any longer to being a colony of any other government.

So, Mr. Speaker, it is evident that war was the foreknown and inevitable consequence of the policy that is being pursued, and the responsibility for all the bloodshed and all the suffering must rest where it belongs.

Mr. Speaker, I have made these remarks for no other purpose than to correct certain monstrous misstatements and perversions of fact, intended to prejudice, mislead, and misinform the American people. We have before us, sir, a great problem, a grave and important question. It is to the interest of the American people, whose opinions must decide, whose judgment must determine, that the truth of history shall be told. Whatever opinions may obtain on this floor, we have no right to conceal, to misstate, or to pervert the facts in order to influence unfairly the minds of the people.

Before I conclude my remarks, I wish to direct attention to a noteworthy change in the tone and temper of some of our leading exponents of the policy of colonial empire, and especially the President himself. For a time every public utterance of the President and of those who drew their inspiration from him was such as to evoke the wildest enthusiasm of all the bloody-minded and belligerent jingoes in the land. He hurled down the bolts of his withering scorn upon any man who would suggest the taking down of the American flag from any place to which it had been carried by war and conquest. The gentleman from Ohio [Mr. GROSVENOR] himself, known to be deep in the counsels of the President, declared that neither this nor any other Republican Administration would ever consent to take down the flag from any place where it had been placed by the conquest of arms. His Secretary of War uttered a like sentiment.

In these early utterances the thought of taking possession of the Philippine Islands as an act of mercy and humanity to their people was not in the mind of the President or of his political spokesmen and associates. No ancient or mediæval conqueror was ever more frank and explicit in founding his right to take possession of a country and to govern its people upon the power of the sword. These utterances, sir, breathed the very spirit of conquest—the spirit of a haughty conqueror who would not yield one jot or tittle of the spoils he had taken in war.

I am glad to note, sir, a pleasing change in the recent utterances of the President. He evidently begins to realize that the spirit of empire and the lust for military conquest, which he has done more than any living man to encourage and inflame, has begun to give ground before the stubborn principles of American liberty. One can not fail to admire the facility with which the President adapts the character of his public utterances to the changing exigencies of public opinion. He has exchanged the character of a militant hero, loaded with the spoils of a conquered province, for that of a meek and lowly missionary, preaching the gospel of civilization and humanity. Among his many other accomplishments the President possesses the happy faculty of Bottom the Weaver. He can roar you until every jingo in the land cries, "Let him roar again!" but when occasion seems to require he can "so aggravate his voice" that he will "roar you as gently as a sucking dove." In his address to the Home Market Club, of Boston, the President said:

No imperial designs lurk in the American mind. They are alien to American sentiment, thought, and purpose. Our priceless principles undergo no change under a tropical sun.

Sir, what did the President imagine himself to mean when he uttered this noble sentiment? What were the "priceless principles" that were in his mind? Did he have in thought his own great maxim that "forcible annexation is criminal aggression?" Or was he thinking of that "priceless principle" laid down in the Declaration of Independence that "all governments derive their just powers from the consent of the governed?" If so, why has this Government refused to declare that in dealing with the Philippines it will adhere to those "priceless principles" of Jefferson and McKinley? By doing so it could have had "peace with honor." By refusing to do so it has had war and bloodshed. It is not enough, sir, for the President to platitudinize at a banquet board or from the tail of a flying car.

He tells us himself that his words have no power to declare the policy of the Government. For that purpose Congress must speak, and Congress does not speak simply because the heavy hand of the Administration has been laid across its mouth. The President will not suffer this Congress to adopt a resolution in strict accord with the sentiments of his Boston speech because such a resolution would have a binding force and effect. The President gives us oratory and denies us law. The Democratic party would ask nothing better of the President than the privilege of giving life and power to the noble sentiments he has uttered by placing them upon the statute books of the country.

Mr. Speaker, I wish to call attention to another amazing declaration of the President in that address. In speaking of the motives which impelled us to seize the Philippine Islands he said:

Our concern was not for territory or trade or empire, but for the people

whose interests and destiny, without our willing it, had been put in our hands. It was with this feeling that from the first day to the last not one word or line went from the Executive in Washington to our military and naval commanders at Manila or to our Peace Commissioners at Paris that did not put as the sole purpose to be kept in mind, first, after the success of our arms and the maintenance of our own honor, the welfare and happiness and the rights of the inhabitants of the Philippine Islands.

I appeal to the candor of the President's friends and supporters and ask them if this utterance is not a revelation to them? Did they know that from the beginning no thought of our own gain or advantage, no thought of trade, no desire for territory has influenced the action of this Government with respect to the Philippines? Did they know that our "sole purpose" was the welfare and happiness of the Filipinos? Mr. Speaker, I have talked with many advocates of annexation, and I aver that never yet have I heard a single one of them, in the candor of private conversation, express the slightest interest in the welfare of the Filipinos—not one.

I have read many articles in newspapers and magazines in support of the President's policy, and the burden of them all is trade and territory and empire, the glory to be gained by a policy of territorial conquest, the wealth to be obtained in gathering the spoils of conquered provinces. The seizure of the Philippine Islands is regarded merely as the first step in the march of conquest, a stepping stone from which we are to mount to other and more daring schemes of empire and dominion. Such, I say, is the spirit which pervades the party which surrounds and supports the President, and, what is still more significant, he is universally regarded by them as the foremost champion and exponent of their views. If the President truly understands his own mind and purpose, then let him beware of the party which surrounds and supports him, for it has no sympathy whatever with his principles.

But, Mr. Speaker, is the President quite sure that he does not misunderstand himself? I say that the history of the negotiations which led to the cession of the Philippine Islands and the President's connection therewith gives an emphatic contradiction to his assertion that his "concern was not for territory or trade or empire," and that his "sole purpose was the welfare and happiness and the rights of the inhabitants of the Philippine Islands." The fact is on record, Mr. Speaker, that the original instructions of the President to his peace commissioners were to take only the island of Luzon. Before giving these instructions the President had cabled to Admiral Dewey and asked him which was the best island for us to take. Admiral Dewey gave his opinion in favor of the island of Luzon, setting forth its various advantages, both from a military and commercial or industrial point of view.

Because of these advantages and without any reference whatever to the "welfare, the happiness, and the rights of the inhabitants," the President decided to take Luzon. His only concern then was for territory and profit, and he desired to get the best thing in sight. If Admiral Dewey had said that some other island was superior to Luzon, the President was willing to haul down the flag from Manila, abandon the island to Spain, and leave its people to their fate. Having finally determined to take Luzon, he coolly instructed his commissioners to leave all the other islands to achieve their own independence unaided or suffer the bloody vengeance of Spain. How, then, can the President say that "from the first day to the last" he never had any other thought than the welfare and happiness of the Filipinos? And why, sir, was it at last decided to demand the entire archipelago?

It was because General Merritt and other military authorities testified that the possession of the other islands by Spain would be the cause of constant friction, annoyance, and dispute. These and other considerations of a purely selfish character caused a change in the original programme, which was simply to pick out the most profitable piece of territory in the archipelago and leave the rest of them, containing about two-thirds of the population, in the possession of Spain. As to what was to become of these people, whether they were to remain the serfs and vassals of bloody Spain or gain their own freedom unaided by us, that was a question to which the President gave no thought whatever. He simply did not care what became of them.

Such, sir, was the spirit with which the President entered upon this business. But while, sir, his action then and since has been utterly inconsistent with his noble professions, I still hope that the force of public opinion and his own returning sense of right and justice may bring about some correspondence between his action and his oratory. We can at least be thankful to him for the substantial admission that there are no advantages in the way of trade and no profit in colonial possessions to justify this departure from our "priceless principles" and our time-honored policy. And we may hope that he may be roused at last to throw all the weight of his character and intellect and all the power of his influence against the "imperial designs" which he says do not "lurk in the American mind," but which have been flaunted from the very windows of the White House and blazoned upon its walls. [Applause on the Democratic side.]

Army Reorganization.

SPEECH

OF

HON. ALEXANDER M. DOCKERY,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 30, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11023) for the reorganization of the Army of the United States, and for other purposes—

Mr. DOCKERY said:

Mr. CHAIRMAN: I desire to be heard briefly upon this paragraph. The gentleman from Wisconsin [Mr. GRIFFIN] cites chapter 1079 of the military laws of the United States in support of the policy of this bill, to devolve upon the President, in time of peace, the authority to increase the Regular Army from 50,000 men to 100,000. The regulation cited by the gentleman relates only to infantry companies, and was passed in 1866. I find, however, that in 1870 Congress provided that no money appropriated by the bill then pending should be paid for recruiting the Army beyond the number of 25,000 men, including Indian scouts and hospital stewards, and thereafter there should be no more than 25,000 men in the Army at any one time unless authorized by law.

That statute was enacted after a heated controversy, with which the country is familiar. In the course of the debate of the 7th of April last the gentleman from Illinois [Mr. MARSH], who was then leading the House in opposition to the increase of the Regular Army, although at that time the United States was upon the threshold of war with Spain—

Mr. MARSH. Will the gentleman allow me to interrupt him?

Mr. DOCKERY. Certainly.

Mr. MARSH. I know he does not want to misrepresent me. I was not leading anybody, but I was against an increase of the Regular Army to 104,000 men.

Mr. DOCKERY. The gentleman's position, if I understand him, was this: Confronted with war, he objected to the increase of the Regular Army to 104,000 men. In a time of profound peace he is urging Congress to raise the Regular Army to 100,000 men; the difference as to numbers seems to be 4,000 men [laughter], and the gentleman can reconcile the discrepancy in his own time, and in his own way. The gentleman from Illinois then objected to a standing army of 104,000 men for war purposes, but he now insists upon 100,000 men for peace purposes. [Laughter on the Democratic side.]

Mr. Chairman, the proposition to invest the President with discretion to increase the Regular Army to 100,000 men is, in my judgment, one of the most objectionable features of the pending measure. If it is wise to put the Army upon a war footing of 100,000 men in time of peace, then Congress should so declare. I suggest to the gentleman in charge of this bill [Mr. HULL] that it is not prudent for Congress, charged as it is by the Constitution with the exercise of the war power, to abdicate this high function in favor of any Chief Magistrate, since we thereby commit to him both the taxing power and the sword at one and the same time.

But, Mr. Chairman, whatever criticism may be pronounced upon the provisions of this most extraordinary and dangerous bill, it can not, with respect to consistency, be directed against the Chairman of the Committee on Military Affairs. From the time the Spanish war cloud first appeared he has been the persistent and vigorous exponent of the policy of the War Department in so far as legislation has been offered to reorganize the Regular Army. I have animadverted in a kindly spirit upon my distinguished friend from Illinois [Mr. MARSH] for what I understand to be a change of views on his part. I regret his present attitude, because in respect to questions relating to the Army his judgment is usually trustworthy.

That he should have been brought to the support of a permanent increase of the standing Army to 100,000 is but another illustration of the development of the spirit of imperialism which now menaces the peace and safety of Republican institutions.

But, Mr. Chairman, there is another feature of this bill to which I desire briefly to advert. The gentleman from New Jersey [Mr. PARKER], and I think the gentleman from Illinois, a few days ago referred to the absence of danger in respect to the contemplated increase of the Army, because of the "homogeneous" character of the population from which its ranks are to be recruited.

If Representatives will turn to section 17 of the bill, it will appear plain to them that the supposed "homogeneity," referred to by the gentlemen, is conspicuous by its actual absence. That section provides "That organizations serving in Cuba, Porto Rico, and the islands of the Pacific may, in the discretion of the

President, be recruited in whole or in part from the inhabitants thereof."

For the first time, Mr. Chairman, in our constitutional history, Congress proposes to authorize the enlistment of a Regular Army, not recruited, as the gentleman from Iowa [Mr. HEPBURN] suggested a few days since, from the homes and firesides of our own people, but from the jungles of Cuba, the plains of Porto Rico, or the unknown wilds of the Philippines. The policy of the Republican party is to enlist the black man and the yellow man, and the men of all colors found in the islands soon to be annexed to the United States. The national honor is to be vindicated by alien races and the defense of the flag intrusted to people unfitted for American citizenship.

In view of the provisions of this section it is impossible to secure a homogeneous regular army under this bill.

[Here the hammer fell.]

Mr. STEELE. I would remind the gentleman that those people he has just been talking about are the ones he was so anxious to have us fight for. [Laughter.]

The CHAIRMAN. The time of the gentleman from Missouri [Mr. DOCKERY] has expired.

Mr. DOCKERY. I should like to have some additional time, if there be no objection.

There was no objection.

Mr. DOCKERY. I did not hear the statement of the gentleman from Indiana [Mr. STEELE.]

Mr. STEELE. I say that those people that the gentleman speaks of so derisively are those he wanted us to fight for last spring.

Mr. DOCKERY. Oh, Mr. Chairman, the gentleman, in common with the majority on his side of the House, seems to have forgotten the object of that war. It was to give freedom to the Cubans—the right to establish in that island the freedom for which they had been fighting for three weary years in the recent war, and for ten long years in a prior war. The United States expressly disavowed any intention of conquest, and I have yet to learn from the White House that there is any purpose to violate that solemn pledge, made by this Government, to Cuba and to the nations of the earth.

Mr. STEELE. It can not be a very bad thing to use those men to help us to accomplish the end that we started out for.

Mr. DOCKERY. Mr. Chairman, whatever may be the views of gentlemen as to the wisdom of this section, it seems to me that the United States should, at the earliest practicable date, release the island of Cuba to its own people, and permit them to establish a stable and independent government. This Republic is too great to violate its solemn pledge made to a people who have struggled through long years of war and oppression to found a government upon the same fundamental principles upon which our free institutions are founded.

PHILIPPINE ISLANDS.

And now, Mr. Chairman, I desire to advert for a moment only to the proposed annexation of the Philippine Islands. It is not my purpose to enter upon an elaborate discussion of this great question, but, in my opinion, the annexation of these remote tropical islands will inaugurate a policy of colonial empire repugnant to republican institutions and alike detrimental to our own people and to the Filipinos.

The hot blood of revolution will be a constant danger to stable government, requiring a large permanent increase of the Regular Army.

The proposed annexation can not be justified by commercial reasons, inasmuch as the increased expenditure on account of the standing Army and the augmented naval expenses necessary to maintain order will exceed the value of the entire commerce of the archipelago, including both imports and exports.

The contemplated annexation can not therefore be urged upon the grounds of trade expansion; neither can it be fairly claimed as essential to the national defense.

A naval station, affording a commodious harbor and ample docking privileges for the repair of our great war and merchant ships, would meet all the requirements incident to the growth of our commerce and to a proper increase of the Navy.

Territorial aggrandizement in these far distant islands will prove to be an annexation of trouble—an inheritance of woe.

Mr. Chairman, in this connection I appropriate the patriotic sentiment:

My country, may she ever be right;
But right or wrong, my country—

and yet, sir, I insist that my country need never be wrong. However that may be, we will stand by our splendid Army and invincible Navy, regardless of the policies of political parties and of Administrations.

As American citizens we will all defend the flag and maintain the honor of the Government against foreign foes; but I am quite unable to understand the logic of the position which gives to the Cubans, only 90 miles from our shores, the right to establish a

free government, while at the same time it denies that privilege to the inhabitants of the Philippine Archipelago.

If it was proper to declare that the people of Cuba are and of right ought to be free and independent, why does not that great fundamental policy demand the same exalted privilege for the Filipinos, who have been struggling for freedom too?

If a war of conquest against Spain in Cuba would have been reprehensible, and so disclaimed by Congress, why is a policy of conquest to be commended 7,000 miles from our shores?

Mr. Chairman, the permanent annexation of these islands will not only add greatly to the tax burdens of the people, but it will at the same time practically nullify the spirit of the Monroe doctrine. Moreover, a colonial policy will imperil the interests of American labor by the competition of cheap Asiatic labor, and will enormously increase taxation, without adding anything of great value to the commerce of our country.

Sir, I prefer the expansion of commerce rather than the expansion of far-away undesirable islands. I prefer a homogeneous people devoted to our free institutions rather than the incorporation into our citizenship of semibarbaric alien races. I prefer the peaceful conquests of commerce rather than the stirring triumphs of armies and navies.

Mr. Chairman, I would establish a commercial empire on the seas which shall give to this Republic the control of the world's vast commerce, rather than an empire of mere force, even though our glorious Navy should be without a rival among the great nations of the earth.

Sir, let us maintain the principles of free government, which will ultimately dedicate the entire Western Continent to freedom, while avoiding entangling alliances with European and Asiatic powers.

Reduction of Railway Mail Pay and 1-Cent Letter Postage.

SPEECH

OR

HON. MARION BUTLER,

OF NORTH CAROLINA,

IN THE SENATE OF THE UNITED STATES,

Monday, February 20, and Tuesday, February 21, 1899.

The Senate having under consideration the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900—

Mr. BUTLER said:

Mr. PRESIDENT: When on Saturday the consideration of the Post-Office appropriation bill was postponed until to-day, I was discussing the situation in which the Senate was placed on account of the failure of the postal commission appointed last year to investigate the whole subject of postal affairs to report at this session of Congress.

A year ago, when the Post-Office appropriation bill was under consideration, I offered an amendment providing for a reduction of the appropriation for railway mail pay from \$30,500,000 to \$24,500,000, a reduction of \$6,000,000, authorizing and directing the Postmaster-General to readjust and reduce the compensation to all railroad companies for the transportation of mails at least 20 per cent. At that time I addressed the Senate at some length, explaining why I offered the amendment, and attempted with facts and arguments to show why the Senate should adopt the same.

I called attention to the fact that the amendment was in the exact form of amendments heretofore adopted by Congress on Post-Office appropriation bills. I called attention to the fact that in 1876 an amendment in the same form was offered and adopted on the appropriation bill of that year providing for a reduction of 10 per cent and instructing the Postmaster-General to rearrange and scale down the amount paid for railway mail transportation in accordance with that provision.

I called the attention of the Senate to the fact that again in 1878, only two years later, a similar amendment was again offered and put upon the appropriation bill of that year providing for a further reduction of 5 per cent, making a total reduction within two years of 15 per cent. That reduction was made as a result of an investigation by a special commission on railway mail transportation. That was the Gardiner Hubbard commission of 1878.

That reduction that was made was a compromise, for I think I am safe in saying that the investigation showed that a greater reduction was justified. I have taken the trouble and time to examine to some extent the testimony taken by that commission. So we see that the last reduction was made twenty-one years ago. The child in its cradle when that reduction was made is now a grown man, more than 21 years of age. So during the time that one generation has passed away and a new generation has been born and grown up there has been no reduction or revision in the amount paid by the Government for railway mail transportation.

During that time passenger rates have been reduced about 20 per cent—voluntarily reduced by the railroads themselves, without any legislation by Congress. During that time freight rates have been reduced more than 40 per cent—voluntary reductions made by the railroads themselves, without any action by Congress to require them to do it. During that time the operating expenses of the railroads have been greatly reduced, and, besides, the amount of mail matter has been greatly increased, which also enables the roads to give the Government a lower rate on each pound carried.

I presented to the Senate a large mass of data which I had collected proving the statements that I had made, which statements were not contradicted. Not only were they not successfully contradicted, but no attempt was made by anyone upon this floor to contradict the statements of fact which I made then.

I may be pardoned for saying that there was no answer to those facts in the possession of any Senator sufficient to refute them—at least they were not produced; but my proposition for a reduction of 20 per cent was met by the proposition that we had better have another investigation by a commission to ascertain how great a reduction should be made. I think it was the general opinion of this body that a reduction should be made.

I expected, and I think every Senator expected, that we should have this information before we were asked to vote upon another Post-Office appropriation bill. It is not the fault of the commission, except those who took part in it, that they are loaded down with a multiplicity of subjects to be investigated, so that it is impossible for them to intelligently conclude their labors by this time. A number of us foresaw the trouble then and regretted that the Appropriations Committee saw fit to so load down the commission with unnecessary work.

But, Mr. President, I submit that while this investigation is being made, at least, we should not in this appropriation bill increase the amount to more than it was in the last appropriation bill. It stands proven before the Senate at this time that a reduction of 20 per cent at least should be made. Unless the commission shall be able to gather information to prove that the data furnished here a year ago was incorrect, then it is proven, and will continue to be proven, and I think no one expects the commission to be able to produce data to prove that we are not paying enough for railway mail transportation; yet here we are met a year later on with an appropriation bill which increases the annual amount of the railway mail pay more than any increase which has ever been made at any one time heretofore.

I have before me the amount of the appropriation made every year for the last twenty-five years. The increases amounted sometimes to a few hundred thousand dollars and sometimes to \$1,000,000, but have never amounted to as much as \$2,000,000 in any one year.

But this bill brought in here now, while we are investigating the very question to find out how much reduction should be made, proposes to increase the appropriation by nearly \$3,000,000 for railway transportation alone. I submit that at least we ought to keep the appropriation at what it was a year ago until this commission can report. The case is proven that there ought to be a 20 per cent reduction; and it would stand so proven before any court of justice on the evidence submitted.

Then, if the commission can not report now, why not keep down the appropriation for this year to at least no more than it was a year ago? A year ago we appropriated \$30,500,000. This bill appropriates \$33,275,000—the biggest increase that has ever been made.

Mr. COCKRELL. How much do I understand the Senator to say was appropriated last year?

Mr. BUTLER. Thirty million five hundred thousand dollars.

Mr. COCKRELL. And how much this year?

Mr. BUTLER. Thirty-three million two hundred and seventy-five thousand dollars—the biggest increase that has ever been made in the history of the Post-Office Department in one year; and that, too, in the face of the fact that we are now, through a special postal commission, investigating the question to see how much reduction should be made in the railway mail pay.

Therefore, Mr. President, I now offer this amendment simply to hold down this appropriation for this current year to what it was a year ago, and not increase it while we are investigating to see how much we can reduce it. I submit, as a common-sense proposition to every Senator on the floor, that there is no shadow of excuse for increasing this appropriation more than we ever increased one before while we are investigating to see how much to reduce it.

I ask that the amendment I have offered, which is in the usual form that has been heretofore adopted in making reductions, be stated. That amendment simply provides for keeping the appropriation this year down to what it was last year until the commission shall report.

The VICE-PRESIDENT. The amendment submitted by the Senator from North Carolina [Mr. BUTLER] will be stated.

The SECRETARY. In the clause making appropriations "for inland transportation by railroad routes," on page 15, line 3, after

the word "distribution," it is proposed to strike out "\$33,275,000" and to insert:

Thirty million five hundred thousand dollars; and the Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1898, for the transportation of mails on railway routes by reducing the compensation to all railroad companies for the transportation of mails at least 10 per cent per annum from the rate fixed in section 4002 of the Revised Statutes as amended by act of July 12, 1876, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1877, and for other purposes," and as further amended by act of June 17, 1878, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1879, and for other purposes," for the transportation of mails on the basis of the average weight; and the above amount appropriated shall cover full compensation for railway mail transportation.

Mr. QUAY. Mr. President, the amount appropriated in this bill for railway mail transportation is, it is true, increased from two to three million dollars above the appropriation of last year. That is about the ordinary increase in each annual appropriation bill. Probably some portion of it is due to the abnormal stimulus of business and to the existing war, which has increased the postal business immensely.

If it were right to pass the appropriation of last year at the figures then adopted by the Committee on Appropriations and agreed to by the Senate, it is right to pass the appropriation this year as the Committee on Appropriations has reported it.

It is true, as the Senator from North Carolina [Mr. BUTLER] has stated, that he bitterly assailed the appropriation last year, alleging that we were paying to the railroad companies several million dollars to which they were not entitled. The Senator says he distinctly proved that to the satisfaction of the Senate, but I think he has not.

Mr. BUTLER. If the Senator will pardon me, I did not say that.

Mr. QUAY. As I understood the Senator, he said he had distinctly proved that to the satisfaction of the Senate.

Mr. BUTLER. No; I did not say that, for I had no way of ascertaining that. I simply know, and I so stated, as my remarks will show, that I presented facts showing that there should be a reduction of at least 20 per cent. I stated that these facts were not contradicted or refuted, and I said I presumed if any Senator had had any facts in his possession to show that I was wrong he would have presented them to the Senate. I further stated that the Senate met the proposition for a 20 per cent reduction, which stood proved—proven because the facts and arguments presented were not refuted—by adopting the proposition made by the Committee on Appropriations to create a special commission to investigate the whole question and report to the Senate. That is what I stated.

Besides, the remarks Senators made at that time, when the last appropriation bill was under consideration, will show that they stated that they would support the proposition of the Appropriations Committee for an investigation rather than my proposition for a 20 per cent reduction, because they were not sure that there should be that much reduction, or just what reduction should be made, but that we should investigate the matter officially and then act on the information so secured. That was about the substance of the discussion.

Mr. QUAY. The facts are, Mr. President, that the Committee on Appropriations last year had made a partial investigation of this subject, and the accuracy of the results of the investigation was challenged by the Senator from North Carolina. Thereupon a commission was appointed to take charge of this subject in addition to other branches of the postal service and to make an investigation. That commission is now in charge of the investigation and is progressing with it, but has made no report.

The contention of the Senator from North Carolina is that we shall now blindly strike out \$3,000,000 this year from this appropriation without having any evidence before us to show that the railroad companies are or are not being paid too much.

Mr. BUTLER. The proposition is simply not to increase the appropriation while we are investigating, but to make the appropriation the same now as it was last year, which will make only a slight reduction in the rate of pay, admitting that there has been the increase of business claimed by the Senator from Pennsylvania.

Mr. QUAY. If the appropriation made last year was the correct amount, then the appropriation ought to be \$3,000,000 or \$3,000,000 more this year in the ordinary course of business, which compels every year an increase of this appropriation for the Post-Office Department.

Mr. BUTLER. Of course I understand that there is an increase of business each year. We have each year appropriated from \$500,000 to \$1,000,000, and sometimes over \$1,000,000, but never as much as \$3,000,000, to cover that increase of business following the old law—the old rate fixed in 1878, over twenty years ago.

The amount appropriated in the bill last year was from \$6,000,000 to \$12,000,000 too large. My contention is that we should not still further increase that amount, while investigating to ascertain how much it should be reduced.

As far back as 1883, Mr. Gresham, who was then Postmaster-General, realized that the rate of pay fixed by the law of 1878 was too high, and that under that law he would be forced each year to make estimates for increased appropriations that were too large for the service rendered. He was authorized by act of Congress of March 3, 1883, to investigate the matter and report to Congress. This report is found in Executive Document No. 35, Forty-eighth Congress, first session. In 1885 Postmaster-General Vilas recommended a reduction. Again, in 1887, the Postmaster-General in his annual report called the attention of Congress to the fact that rate of pay for railway mail transportation was too high, and that the Department was powerless to reduce the rate unless authorized to do so by Congress. There have been other recommendations to the same effect since.

Therefore, I submit that while we are investigating to find out how much to reduce the appropriation, surely we should not make the greatest increased appropriation we have ever made, and that it would be safe to stand on the amount appropriated a year ago.

Mr. QUAY. We are not investigating to ascertain how much we should reduce the appropriation, but we are investigating to ascertain how much should rightly be paid to the railroad companies, and whether the rate should be reduced or increased. That is my understanding of the duties of this commission.

Mr. BUTLER. Certainly if we should find that we are paying the railroad companies too little, and that can be established to the satisfaction of Senators, no one will vote more cheerfully than I will to increase the rate of pay to the railroads, and pass a relief bill for them, so that they will not be imposed upon.

Mr. QUAY. The commission is not instructed to report a reduction.

Mr. BUTLER. There never having been any evidence to show that the railroads were paid too little, or any such attempt made on this floor, I did not suppose that was in the mind of the Senator as a possibility.

Mr. QUAY. I merely mentioned it as an illustration of the duty of the commission, that they were not appointed to reduce the railway mail pay, but to ascertain the exact limit, the just limit, of this appropriation.

Mr. BUTLER. My opinion is that the commission was proposed to prevent a reduction by delay or by a whitewash report. The delay part has worked well; we have had a delay of one year, and now we are met with a delay of another year, and no one knows when the whitewash report will be ready. But the Senator will admit that since considerable evidence was produced here—or testimony, I will say, at least, but I think it was evidence, because it was not contradicted—showing that there should be at least a 20 per cent reduction, and that proposition having been met, not with facts and arguments in rebuttal, but by the appointment of a commission to investigate officially and report, that it is reasonable to say that the purpose Congress had in view was to see how much reduction should be made in the railway mail pay. But that is neither here nor there. That, however, explains why I used the language I did.

Will the committee accept the amendment?

Mr. QUAY. I will say that I can not accept the amendment.

Mr. CHANDLER. Mr. President, the difficulty which the Senator from North Carolina must encounter is that in reducing the amount of the appropriation without changing the method of paying the railroads he saves nothing. This amount of \$33,275,000 is estimated as necessary to pay for transporting the mails under the existing system of compensation at so much per pound for the mail carried.

As long as that method of estimating the pay goes on, then we must pay the amount, either in the regular annual Post-Office appropriation bill or in a deficiency bill. So if the service to be performed for the next fiscal year according to the present statutory rate of pay will require \$33,000,000, the Senator from North Carolina knows we must pay it, and it makes no difference whether we appropriate \$30,000,000 now and \$3,000,000 in a deficiency bill, or whether we appropriate the \$33,000,000 at this time. I can see no good myself in creating a deficiency to be appropriated for a year later. I see no wisdom in holding back from the railroads the pay which they earn under existing law in order to appropriate it as a deficiency.

Mr. BUTLER. Will the Senator allow me?

Mr. CHANDLER. Only one word more, if the Senator from North Carolina will allow me.

Mr. BUTLER. I only wished before the Senator sat down to call his attention to a statement made by him—

Mr. CHANDLER. The Senator from Pennsylvania [Mr. QUAY] has stated correctly the object of the commission. The commission did not assume that the object of its creation necessarily was to reduce the railway mail pay. The object of the commission is to ascertain what is a fair amount of pay for the railroads and by what method their compensation should be computed.

While I remain, I repeat, of the decided impression that the railway mail pay is too large, I am utterly unable—and so is

the Senator from North Carolina—to determine how much the pay should be reduced, or by what system the pay should be reduced. I do not think it wise at this time to undertake to make, or to appear to make, an arbitrary reduction of the amount when we do not in fact lessen the obligations of the Government to the railroad companies during the next fiscal year by one single dollar.

Now I yield to the Senator.

Mr. BUTLER. The Senator from New Hampshire says it will accomplish nothing to adopt this amendment, because we will have to appropriate the money in a deficiency appropriation bill to pay what the railroads will earn under existing law if this amendment is adopted. The Senator has not read the amendment. Every point raised by the Senator I had considered before preparing the amendment. Of course, as is well known to Senators, if we, for an arbitrary or for a good reason, reduce an appropriation which is made according to the estimate under existing law, then there will most likely be a deficiency appropriation required.

Therefore I used in this amendment precisely the form which has been approved by Congress and by the Appropriations Committee itself and placed upon appropriation bills twice, once in 1876 and once in 1878, when a similar reduction was made.

The amendment provides for a reduction to the amount appropriated last year; but it further provides that in order that there shall not be a deficiency appropriation the Postmaster-General shall rearrange and readjust the amount to be paid under existing law so as to scale the amount down 10 per cent. In 1876 we did exactly that thing; in 1878 we provided for a reduction and a scaling down of 5 per cent, and this scaling down of 10 per cent now, it happens, would reduce the proposed appropriation to just what it was last year. So, with that reduction on a 10 per cent scale, it would leave the appropriation proposed in this amendment just as it was last year. Therefore there would be no deficiency appropriation.

I have offered the amendment because it seemed to me, with all due respect to the work being done by the postal commission and with all due desire to get the information that it will furnish, there should not be the slightest doubt, with the data we have, that a 10 per cent reduction, which would only reduce the proposed appropriation down to \$30,500,000, what it was a year ago, was too large.

Mr. President, should we adopt this amendment we would be simply doing now what the Postmaster-General recommended that Congress should do fourteen years ago. During those fourteen years the amount of the increase of railway-mail pay has jumped from \$14,000,000 a year to \$33,275,000 in this bill; and since the Department appealed to Congress to reduce this pay in 1885 we have increased the amount of the appropriation bill 250 per cent.

Mr. President, it is the most unprecedented thing that has ever occurred in the legislation of Congress. I do not believe that the reduction is one-half what it should be, in justice to the taxpayers of the country and with ample justice to the railroads, but I have offered the amendment simply because we can not get the report of the postal commission, and because I suppose every Senator would be willing to admit that this small reduction is surely inside of the lines of justice.

Mr. President, if the committee is not willing to accept a small compromise measure like that, one that simply keeps the appropriation for the coming year at what it was last year, until the commission can report, then I shall feel it my duty to again put on record, and to give to Congress and to the people of the country, so far as it may reach them, the reasons why a reduction of more than 20 per cent should be made.

Mr. CHANDLER. Will the Senator allow me a word now?

Mr. BUTLER. Yes.

Mr. CHANDLER. It is due to the Senator from North Carolina that I should say that upon reading his proposed amendment I find that he does provide against a deficit by providing for an arbitrary reduction of 10 per cent of the compensation of the railroads of the country. In reference to that, until the postal commission makes a report, I am unwilling to make any arbitrary reduction or any reduction at all. When that commission does report, I shall probably find in their report material for voting for a reduction in the amount annually paid to the railroads for transporting the mails.

Mr. BUTLER. Will the Senator pardon me for asking him what, from the investigation so far, has been his impression, gathered from the testimony before the commission, as to whether we are paying too much or too little for the Railway Mail Service?

Mr. CHANDLER. I have already stated that once or twice. My impression is confirmed that we are paying larger sums than we ought to pay, but if I were called upon to justify that impression by facts or evidence, and to propose a new method of making payment or a reduction in the rate of payment, I could not do it.

Mr. ALLISON. Mr. President, may I say a word respecting this subject?

The VICE-PRESIDENT. Does the Senator from North Carolina yield?

Mr. BUTLER. Certainly.

Mr. ALLISON. The Senator from North Carolina makes the point that we are constantly increasing the pay of the railways for carrying the mails. That is true; but it is equally true that we are constantly deriving increased revenue from the service.

If you will take—I only speak from memory now—the appropriations of 1885 and 1886 in the aggregate, and also take the receipts for the same period in the aggregate, you will find that the receipts have increased quite as rapidly as, if not more rapidly than, have the expenditures, showing that from year to year and every year there has been an increase in the revenue from the mails.

Mr. BUTLER. To such an extent that we have now a big and increasing surplus in the Post-Office Department!

Mr. WOLCOTT. Oh, no.

Mr. ALLISON. We do not have a surplus.

Mr. BUTLER. Is it possible the Senator thought from the remark I made that I was not aware of the actual condition? The Senator was attempting to create the impression that the receipts were increasing faster than the expenditures; and if that were true, of course we would have a surplus instead of a deficit as we now have. The purpose of my remark was to show the absurdity of the Senator's argument.

Mr. ALLISON. I do not know why the Senator should say that, but I will say, Mr. President, that we have a smaller deficit than we had in 1873, before the law which is now the rule of estimating the railway mail pay was passed. I remember that very well. In 1873 the revenues of the Post-Office Department were \$22,000,000 and the expenditures were \$28,000,000, in round numbers, making a deficit for that year of \$6,000,000.

Now, twenty-six years later, instead of having a revenue of \$22,000,000 in that period, we have increased our postal revenue to more than \$90,000,000, and in the meantime we have reduced the rate of postage on letters from 3 cents for half an ounce to 2 cents an ounce, thus showing the enormous progress and development of our country in these twenty-six years.

The railway mail pay is fixed by the law, dependent upon the weight carried; chiefly upon the weight carried, and practically wholly upon the weight of the mails. Now, the Senator proposes an arbitrary reduction. I have seen enough of the testimony taken by the postal commission to believe, if I do not know, that in many cases the compensation paid to the railroads is less than it ought to be, and that applies to a vast majority of the mileage of the smaller lines of railroad, which carry a small weight of mail. They are not receiving the just compensation under the existing arbitrary method that they should receive, while it may be true that some lines are receiving more than they should receive.

Now, the Senator's amendment proposes an arbitrary reduction of 10 per cent, which, in my judgment, would be a monstrous injustice, or, at least, a great injustice to the great body of the railroad companies of the country. I need give no better illustration of that than the fact that only two days ago on this bill there were only 8 votes cast in the Senate against increased pay to one of the large railway systems in our country to the extent of \$172,000 per annum, because this present method of estimating the mail pay did not give sufficient to enable them to conduct the fast mail service on the Southern Railway between here and New Orleans.

Mr. BUTLER. And the Senator would call that a case of Congress "arbitrarily" increasing the railway mail pay, and he would be right in calling it arbitrary action on the part of Congress, because the Department protested against it and all the facts were against such an increase.

Mr. ALLISON. Very well.

Mr. BUTLER. That was done in the face of every particle of evidence that we had or that we could get from those to whom we looked for information, while in this case I am backed by the Department in standing here and asking for a reduction.

Mr. ALLISON. What Department?

Mr. BUTLER. The Post-Office Department as far back as 1885 appealed to Congress to do something to reduce this enormous increase in pay of the railroads. The next report, in 1887, did the same. If there should have been a reduction then, there should be a still greater reduction now.

Mr. WOLCOTT. I should like to have the Senator point us to any recommendation within ten years from the Post-Office Department that the pay for the Railway Mail Service should be reduced.

Mr. BUTLER. I can do so, and I will put the recommendations made by the Post-Office Department into the RECORD.

Mr. QUAY. I will state that the amount appropriated by this bill is the exact amount estimated for by the Post-Office Department.

Mr. ALLISON. If the Senator from North Carolina [Mr. BUTLER], who has the floor, will indulge me a moment longer, I wish to say that the Post-Office Department for years has recommended that there be a readjustment of the rate for carrying second-class mail matter.

Mr. WOLCOTT. Yes.

Mr. ALLISON. And the Department has stated that by such

readjustment this deficit from year to year could be wiped out; but I do not know of such an instance, except that it is possible the late Senator Vilas, a former member of this body, when he was Postmaster-General, made some question about the railway mail pay. With that exception, I do not know of a single Postmaster-General who has suggested a way to get rid of the deficit except by means of an increased tax upon second-class mail matter.

Whatever the commission may do—and I do not know what they will do—I am, as the Senator from New Hampshire says he is, ready to modify any view I have had heretofore respecting railway mail pay. I have heard enough to believe that the present method of payment is an unjust one, and that it is, as to a large part of the railroad mileage of the country, a less sum than ought to be paid, whilst it may be more than ought to be paid to a few of the great trunk lines. I am not sure about it. Therefore it appears that the method suggested by the Senator from North Carolina would be an unjust way of dealing with the matter.

Mr. BUTLER. Does the Senator think that the method adopted in 1876 to reduce the surplus to which he has referred as existing before that day is an unjust method?

Mr. ALLISON. I do. We readjusted it twice on the basis of the Senator's proposal, and it was conceded by everybody familiar with the details of the transportation of the mails that that was an unjust method of dealing with them.

Mr. BUTLER. I will ask the Senator if it was not a method recommended by the postal commission of 1876 and again by the special commission of 1883?

Mr. ALLISON. No, Mr. President, it was not. It was an arbitrary reduction.

Mr. BUTLER. Arbitrary? What does the Senator mean by "arbitrary?"

Mr. ALLISON. A given percentage applying to all railroads alike.

Mr. BUTLER. Why did not somebody propose a method different from what the commission recommended? It was discussed fully in this body.

Mr. ALLISON. It was not discussed very fully—I was in this body at that time—nor did they recommend an arbitrary reduction, as I remember. There is no question about the injustice of the amendment proposed by the Senator, and it will so operate. Why is it that the Senator makes this proposal when the commission specially designated for the purpose of making this investigation and other kindred investigations is at work, and why does he insist now that we shall change and investigate afterwards—change without sufficient knowledge to know whether the proposition is a just or unjust one?

Mr. BUTLER. It was proven a year ago that more than a 20 per cent reduction should be made. The proposition to investigate was made because the Senator could not rebut the facts and arguments then produced. A year has been lost, and still he is not ready to report. How long does he want us to wait while this appropriation grows bigger each year? This is a slight reduction proposed to be made while we are investigating, and one that it seems to me would come on the inside of any fair reduction that should be made.

I should like to call the Senator's attention to a matter. He referred to the year 1885, and said we have been getting increased revenues all the time, and therefore we were not paying too much since then. We were paying only \$121.95 a mile at that time. To-day we are paying nearly \$180 a mile, as the bill will make it. The only answer that can be made to those figures is that the amount of mail matter—

Mr. ALLISON. The Senator must know that the minimum rate is \$42 a mile, and that it applies probably to more than half the mileage of the country, certainly to a third of it; and then the scale goes up according to weight over 5,000 pounds.

Mr. BUTLER. It is a very high rate.

Mr. ALLISON. It is constantly diminishing now relatively as compared with the rate of which he is speaking. In other words, a large additional amount of mail matter is carried, and when it is carried the rate is diminished as respects that additional weight, so that the average cost compared with the carriage of mail matter is less than it was two years ago or three years ago.

Mr. BUTLER. What the Senator refers to is due to the fact that we pile up a large amount on more roads that carry above 200 pounds. It is not diminished in any sense except that you are giving roads more mail matter than you did. There are more roads that carry over 200 pounds; there are more that carry over 500 pounds each year. The amount we pay per ton per mile when they carry only 200 pounds is \$1.17. That is the enormous price which we paid the small roads.

The Senator said a few moments ago that there were a number of roads that were not paid enough, and that they were the small roads, and that possibly on the trunk lines there ought to be a reduction; but in the investigation made by the Appropriations Committee last year, which I have before me, they found that on these big trunk lines we were paying 6½ cents a pound—on the

lines that carried as much as 100,000 on a trip. Here is a table from their report, which presents the facts as a result of their own investigations.

The table is as follows:

Average weight per day over whole length of route.	Tons per mile per year (365 days):	Compensation per mile per year.	Compensation per ton per mile.
<i>Pounds.</i>			
200	36.50	\$42.75	\$1.1712
500	91.25	64.12	.7027
1,000	182.50	85.50	.4685
1,500	273.75	108.87	.3904
2,000	365.00	128.25	.3514
2,500	456.25	149.62	.3242
3,000	547.50	171.00	.2874
4,000	729.00	192.37	.2566
5,000	910.50	224.42	.2288
6,000	1,092.00	231.27	.2098
7,000	1,273.50	251.82	.1771
10,000	1,825.00	331.27	.1600
20,000	3,650.00	461.82	.1259
50,000	9,125.00	1,186.07	.1299
100,000	18,250.00		

Mr. BUTLER. This shows that the pay is enormous when a road carries a small amount of mail a day, according to the present law. In fact, every small road is many times better paid for carrying the mail than for any other service that it renders the public.

Take any small road in the country, say 10 or 20 or 50 miles long. That road, just like every other road, will run its train or trains every day anyway. That train will run every day, carrying fifteen or twenty passengers. It will run every day, carrying 1 ton or 20 tons of freight. That train is going to run. It is going to make every trip whether it carries the mail or not. Now, what mail it gets to carry is so much extra. That road could afford to carry the mail whether it got \$1.17 a ton or one-tenth of what it is paid. Such a road, or any road, would be glad to take the mail for the highest class freight rate; yet, according to law, such a road that carries even 200 pounds a day gets \$1.17 per ton per mile, while it gets for freight from 2½ cents per ton per mile down to as low as one-half of a cent per ton per mile.

These figures are from the report of the Interstate Commerce Commission and from Poor's Railroad Manual for 1897. I have in my hand Poor's Railroad Manual for 1897. It groups the States into eight divisions, showing the amount of freight hauled in each division and the price collected per ton per mile. The highest price collected for freight is in the group of sparsely settled Western States. What is the average freight charge in those States? Here are the figures, which I read: 2.33 cents per ton per mile. In every other group the freight charge is less. The average is 0.821 cent per ton per mile. The lowest rate is in the densely populated sections, and is much less. Eight-tenths of a cent per ton per mile is the average freight charge for the whole country. Out West it is 2.33 cents, which is the highest average.

Now let us see how well paid are the large roads, which carry the largest amount of mail. Last year I made a calculation based on the investigation made by the Committee on Appropriations as to what it costs each passenger per pound to have himself hauled, and here is the statement I made. I presented it to the Senate, and while I was interrupted from the beginning of the speech to the end by Senators who thought they could correct me here and there, nobody attempted to correct the statement, though the attention of the Senate was sharply called to it.

I had Poor's Railroad Manual in my hand, and I took the facts gathered by the Committee on Appropriations with the facts presented in Poor's Railroad Manual, which is certainly a standard authority and is so recognized by all the railroads. I first compared freight rates with mail pay; next, express rates with mail pay, and next, passenger rates with mail pay. This is what I said about the first comparison:

Poor's Manual of Railroads for 1897 gives statistics of freight traffic for thirteen years, 1884-1896, made up for the United States as a whole and also as grouped into eight divisions. In 1896 the total freight in the United States was 773,887,716 tons, carried 63,885,853,694 miles, on which the gross earnings were \$770,454,013, an average per ton per mile of 0.821 cent (a little over four-fifths of a cent).

Mr. President, what do those figures teach? One ton, at the rate of 0.821 cent, for 328 miles—that is, the average haul of postal matter—comes to \$2.68, which is less than one-seventh of a cent a pound. I made that statement once, and it was contradicted. I call the attention of Senators to the fact and make it again, and here are my figures for it. Poor's Railroad Manual shows that the average price paid for carrying a ton of freight 328 miles, which is the average run for mail, is less than one-seventh of a cent per pound.

Thus we see that the railroads get an average of one-seventh of a cent per pound for freight, while the Government pays them an average of nearly 6½ cents a pound for mail. That is, the railroads get forty-four times as much per pound for mail as they charge for freight.

With reference to the second comparison, I said:

But they say next that we get a better service at less price than do the express companies. I have gathered a number of figures on that point, but I think the statements made by the Senator from South Dakota on Friday were probably the most authentic that could be gathered. He took them from the

census, and the facts which he gathered from the census show, when taking the total amount of the Adams Express business, the total amount of pounds, the total amount paid, that the railroad companies got for each pound of express matter carried six-tenths of a cent per pound.

What will that show? It will show that the railroad companies and the express companies combined, two great corporations, both charging for express, one getting four-tenths of a cent and the other six-tenths, yet charged but a cent and a half on each pound over the entire United States, the railroads getting six-tenths of a cent. I say that is the only authentic information and is nearest to being absolutely correct, so far as the evidence before this body is concerned, of anything yet presented. I know as far as my own observation goes, as far as my limited experience has gone with the shipping of truck from North Carolina to New York and with the shipping of small bundles from here down to my home, that we pay more for mail than we pay for express.

Thus we see, from the best information attainable, that we pay the railroads ten times as much on an average for each pound of mail as they get from the express companies on an average for each pound of express.

With reference to the third comparison, I said:

Every railroad attorney in this investigation says we ought to compare the cost of carrying mail with passenger fare. That is the claim set up by them. I am going to compare what we pay for the mails with the passenger fare, and I am going to show that we pay more for carrying the mail per pound than the passengers pay per pound to be carried. Inasmuch as the Senator from West Virginia made the leading speech for the other side, I call his attention especially to what I am going to say, as I do not want him to overlook it. If he has any reply, I want to hear it. We all know that passenger fare is the highest transportation charge that railroads collect outside of the mail. They state that it is the highest.

Poor's Railroad Manual has another table, which gives the statistics of passenger traffic for the same thirteen years—from 1884 to 1896. It groups the States in the same way. It makes the unit a passenger. In the other case it made the unit a ton. Here are the figures: More than 535,000,000 passengers were carried over 13,000,000 miles, at an average charge of less than 2.4 cents (2.064) apiece per mile. That makes the fare of a passenger for 328 miles a little over \$0.65.

Assuming a passenger and his baggage to weigh 200 pounds, each pound of passenger is carried at less than 3½ cents per pound. If these facts are correct, I want to ask how the Committee on Appropriations can ask us to delay another year in reducing this pay. Will they ask us to believe the statements of railroad attorneys rather than the facts from such a high authority?

Poor's Railroad Manual is considered a standard authority. It no doubt gathered these facts in the way the census is gotten up, and probably was influenced as little by the concern of the public Treasury or the pay to the railroads as it would be possible for any such publication to be influenced. Yet these figures giving the total number of passengers, the total miles traveled, the total compensation, show that each pound of passenger pays less than 3½ cents for 328 miles, while we pay 6 cents for each pound of mail for the same distance.

Thus we see that a comparison of passenger rates with railway mail pay shows that the Government pays twice as much for each pound of mail as the railroads receive for each pound of passenger. This is an astonishing fact, but it is true.

It never has been contended by the railroads or by anybody else that they ought to be paid more for carrying the mails than they are paid for carrying so much weight of passengers under similar conditions. In fact, with every commission which has been appointed to investigate this matter the railroads have started out by laying down the claim that they ought to be paid as much for mail as for passengers; that the comparison ought to be made with passenger fare. That has been their contention all the time.

To-day there is not a passenger in this country who pays as much to be carried in a palace car with his seat given to him, upholstered and cushioned, the cars lighted by electricity and heated, with every comfort, as we pay to have the mail in bulk hauled in a common mail car. More than that, we pay more for rent than the car is worth. We pay for the car more rent than it would cost to buy it, and then pay for the mail that is hauled in it more than any passenger back in the train pays to have himself hauled. That fact is proven. It is proven not only by the evidence which I presented a year ago, but it is proven by the investigation made by the Appropriations Committee itself.

The passenger does not pay rent for the car in which he rides in addition to his fare. The farmer does not have to pay rent for the car equal to the cost of the car in addition to the freight he pays for his cotton or corn or other produce. So we pay for mail not only twice as much as anybody else to the railroads when they do not pay for the rent of the car, but in addition to that we pay more rent for the cars than they are worth.

Mr. President, these facts I have presented to two successive Congresses. They have been argued and discussed, but no evidence has been presented here or before the Committee on Appropriations, or anywhere else, to prove that the railroads are not getting more for the mail than they do for passenger fare. When these facts were presented a year ago, we were met with the proposition to investigate. I am glad the investigation is going on, provided it can ever be completed, but I submit there is no reason why we should continue to increase the appropriation while the investigation is carried on.

The Postmaster-General himself has investigated this matter since last year. He sent the Second Assistant Postmaster-General to Europe and had him visit England, France, and Germany; and he made an exhaustive examination into the methods of computing, compensating, and the amount of pay. The report of the Second Assistant Postmaster-General will be found on page 317 of the last Annual Report of the Postmaster-General. There is enough in-

formation in this report to justify a reduction if there was no other information given.

The Second Assistant Postmaster-General, who was sent to Europe expressly to investigate this matter and get all the information he could from foreign countries, commences his report to the Postmaster-General by saying:

Pursuant to your instructions I proceeded to London, Paris, and Berlin, in the month of July last, and made a careful investigation into the character and cost of railway mail transportation in Great Britain, France, and Germany, and have the honor to submit the following report of my investigations.

Now, on page 320 of this report, what does the Assistant Postmaster-General say? He is giving now the result of his investigation in Great Britain. He says:

In reply to a question as to what was regarded a reasonable compensation for a mail train, I was told that it must not in any event exceed the revenue derived by the railway company from an average passenger train of like size.

So it seems that in Great Britain the post-office department charters whole trains and runs out a train of ten cars at night so as to reach the most distant part of the Kingdom the next morning, a train that has not an express car or freight car or passenger car attached to it. It is a whole train of ten cars, a special engine, every man on it—the conductor, brakeman, fireman, engineer, and so on—there simply to perform service for the post-office department, and not for a passenger train and incidentally to haul the mail. Yet in that case, where the post-office department has the whole special train put at its disposal, they say they never consider that they should pay more than what an ordinary average passenger train would get from passenger receipts alone on that trip.

That has been the contention, and the highest contention, which the railroads have made for themselves to my knowledge.

He continues:

One of the contracts which I was permitted to see provided that the postmaster-general and his officers may require the company to provide and run any express or special trains for the conveyance of mails, etc., for a payment at the rate of 3s. 6d. for each and every mile such express or special train shall travel. This would be at the rate of 85 cents per running mile.

Mr. President, that is 85 cents a mile for a whole train. What do we pay in this country for one car simply coupled into a whole train—a train carrying express, carrying passengers, and carrying everything else? We simply couple in one car, an incident, and one that costs no more to the railroad company than the coal to put up a few more pounds of steam. We pay 25½ cents a mile for the hauling of each postal car, and besides we pay at the same time more rent for the use of that car than it would cost to buy the car.

At that rate 10 cars would cost \$2.55 a mile, to say nothing of the cost of the engine, to say nothing of the salaries paid to the engineer and the fireman and the brakeman and the whole outfit, if run for the Government and nobody else. We pay 25½ cents for each car per mile, while for 10 cars, engine and everything supplied for the Government exclusively, Great Britain pays only 85 cents. Their post-office department is self-sustaining. Ours is not. The explanation is evident.

They can carry on one of these trains all the second-class mail matter they please and not increase the cost of the train to the Post-Office Department.

The VICE-PRESIDENT. Will the Senator from North Carolina desist for a moment? The hour of 2 o'clock has arrived, and the Chair must lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 1575) to amend an act entitled "An act to regulate commerce."

Mr. CULLOM. I ask that the unfinished business be temporarily laid aside, so that the appropriation bill may be continued.

Mr. QUAY. I rose to make that request.

Mr. HAWLEY. I ask—

Mr. PETTIGREW. I object.

Mr. QUAY. I ask that the unfinished business be temporarily laid aside.

Mr. PETTIGREW. I object to its being temporarily laid aside. Mr. HAWLEY. I ask unanimous consent that the unfinished business be laid aside for the purpose of taking up the Army reorganization bill.

Mr. PETTIGREW. To that I object, Mr. President.

Mr. CULLOM. Mr. President—

Mr. HAWLEY. I move—

The VICE-PRESIDENT. Objection is made to the request of the Senator from Illinois.

REORGANIZATION OF THE ARMY.

Mr. HAWLEY. I move that the Senate proceed to the consideration of the Army reorganization bill, House bill 11022.

* * * * *

Mr. QUAY. I now ask the unanimous consent of the Senate to resume the consideration of the Post-Office appropriation bill.

Mr. HAWLEY. I was about to yield to the convenience of the

Senator from Pennsylvania, reserving my right to take the floor again at any time.

The VICE-PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the pending bill be laid aside and that the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900, be taken up.

Mr. HAWLEY. Is it necessary to do that formally?

Mr. CARTER. That the Army bill be temporarily laid aside and the right reserved to the chairman of the Committee on Military Affairs to call it up at any time if the debate on the Post-Office bill be protracted?

Mr. HAWLEY. Yes.

The VICE-PRESIDENT. Is there objection to the request? The Chair hears none.

POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11683) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1900.

Mr. QUAY. I move to lay on the table the amendment of the Senator from North Carolina [Mr. BUTLER].

The VICE-PRESIDENT. The Senator from North Carolina is not in his seat.

Mr. QUAY. I see he is not in his seat.

Mr. BATE. The Senator from North Carolina is not in the Chamber. I think he ought to be present before we take any action on the amendment. I left the Senator in the lunch room a moment ago.

Mr. CARTER. I should like to inquire of the Senator from Pennsylvania if there is not an amendment pending, presented by the Senator from South Carolina [Mr. TILLMAN]?

Mr. GORMAN. We can not hear a word on this side. We should like to.

The VICE-PRESIDENT. The Senator from Montana inquires whether there is not an amendment pending offered by the Senator from South Carolina [Mr. TILLMAN]. The actual pending amendment before the Senate is the one offered by the Senator from North Carolina [Mr. BUTLER]. The Senator from South Carolina has not yet offered his amendment.

Mr. COCKRELL. I think it would be only right, the Senator from North Carolina not being in the Chamber, and having been sent for, as I understand—

Mr. BATE. He is in the lunch room.

Mr. CHANDLER. The Senator from South Carolina has an amendment he can offer at the present time.

Mr. TILLMAN. I can fill in the gap, I hope, until the Senator from North Carolina renews his interesting and instructive speech. I have an amendment which I desire to offer.

The VICE-PRESIDENT. If there is no objection, the amendment will be received. The Chair hears none.

Mr. TILLMAN. I move to insert the amendment I send to the desk.

The SECRETARY. It is proposed to insert after the amendment adopted on page 14 the following additional proviso:

Provided further, That the Postmaster-General, in making contracts for the transportation of the mail on star routes, is authorized to prescribe such regulations as will require the contractors to deliver mail into and collect mail from boxes located along the line of such routes, such boxes to be erected and maintained at the expense and risk of persons living on or near such routes who may desire to have their mail so carried.

Mr. QUAY. To avoid discussion and save time I accept the amendment of the Senator from South Carolina.

The VICE-PRESIDENT. The amendment proposed by the Senator from South Carolina [Mr. TILLMAN] is before the Senate. Is there any objection to agreeing to it? The Chair hears none, and it is agreed to. The Senator from Pennsylvania [Mr. QUAY] moves to lay on the table the amendment offered by the Senator from North Carolina [Mr. BUTLER].

Mr. QUAY. I withdraw the motion, and ask the unanimous consent of the Senate that a vote upon the final passage of the bill and any amendments pending be taken at 1 o'clock to-morrow. With that understanding the bill can go over. It seems to me it is scarcely possibly to pass it now.

Mr. HAWLEY. Without further discussion this afternoon?

Mr. QUAY. Without further discussion this afternoon. It goes over at once.

Mr. BUTLER. Just a moment. The Senator from South Dakota [Mr. PETTIGREW] I know has some remarks which he desires to make. I should not like to consent to an agreement without knowing how much time this afternoon or in the morning before 1 o'clock he can have. I wish a few moments to-morrow before 1 o'clock. I should like to have some understanding about that before an agreement is made.

Mr. QUAY. Will 1.30 o'clock answer the purpose of the Senator from North Carolina?

Mr. BUTLER. The trouble about 1.30 is that if an agreement

is made to vote at that hour, and morning business to-morrow morning, or some discussion, should continue to 1.30, it would cut off all chance to be heard.

Mr. HOAR. Take up the bill after the routine morning business.

Mr. HAWLEY. I will agree to nothing that will displace the Army bill. I can not hear what is being said.

Mr. CARTER. I suggest, as a solution of the matter, that the Post-Office appropriation bill be taken up immediately after the conclusion of the routine business in the morning, and that a final vote be taken, as suggested by the Senator from Pennsylvania, on the bill and all amendments then pending at 1 o'clock and 30 minutes.

Mr. QUAY. Will that be satisfactory?

Mr. BUTLER. That does not assure any time to-morrow. I have some other matters which I wish to present.

Mr. President, I will state that when I was cut off by the arrival of the hour of 2 o'clock to-day I was in the midst of what I consider a very important report. I was discussing the report made by the Second Assistant Postmaster-General, who was sent to Europe to find out, if possible, if there was any information in the leading countries of Europe that would form a basis of fair comparison between their pay to railroads and ours.

This report has been made and published. It is a very interesting and valuable document. It is important to bring it to the attention of the Senate. It should have been considered by the Committee on Appropriations. I do not know whether they did consider it or not. I have gone over it with a great deal of pains, and made marginal notes and marked the parts that I think especially deserve attention. I was in the midst of that when we reached 2 o'clock, and now desire to proceed with my discussion of that report.

I also have other information which, while it may not convince the Senate at this time to accept my amendment, because I fear the Senate will decide to wait until the commission reports, as reasonable as my amendment is, should go into the RECORD and be public notice to the Congress and to the postal commission that this information has been prepared. I present it as I believe it gives a true statement of the case, so that it can be met, if possible, or considered and passed upon by the postal commission with the other information before them.

This information proves conclusively to my mind, unless the postal commission can find some facts that I have not been able to get, that a reduction of 20 per cent is a very moderate one to make. I wish this matter to go into the RECORD, and, if it pleased the Senate and we were not pressed for time, I should take pleasure in discussing it while I presented it. I do not wish the bill to be passed without the attention of the Senate being sharply called to these facts, and I regret that the time of the Senate is so short that I can not discuss the matter as fully as it deserves.

Besides, a few months ago the National Board of Trade, in their annual convention held in this city December 13th to the 15th, 1898, passed a resolution in which they sustained the position I took a year ago and I take now. I suppose every Senator has had a copy of the resolution sent to him. It has been printed in this form [exhibiting]. They declare that the pay to railroads for carrying the mails is excessive, and that they do not see how they can ever get 1-cent letter postage until such reduction is made, say 20 to 30 per cent. Of course the business men of this country are vitally interested in 1-cent letter postage. Every merchant, every manufacturer, every business concern in the nation is vitally interested in 1-cent letter postage. They all now realize that they can never get 1-cent letter postage until the Post-Office Department can be self-sustaining or nearer self-sustaining.

Looking at it from that standpoint, the merchants and business men of this country have begun to search for the cause of the deficit. For two or three years they were misled as to the cause. For two or three years they were fooled into the belief that the cause of the deficit was the second-class mail matter, and for a while they passed resolutions calling upon Congress to pass a law to limit the privileges that the people to-day have of receiving second-class mail matter, in order that they might have 1-cent letter postage. After two or three years' investigation they ascertained that they were entirely wrong; that while there might be some abuses in regard to second-class mail matter, yet the real trouble was in the excessive, inexcusable, and outrageous price paid by this Government for carrying the mail. They reached that conclusion in their meeting held in this city last December. Here is the resolution they passed, and here is the report of the committee appointed by the National Board of Trade to investigate the matter:

In this connection I wish to state that the National Board of Trade, through their committee—a committee composed of as bright, successful, and energetic business men as this country has produced—investigated this matter, and in their report they sustain the contention I made on this floor one year ago. They have arrived at the conclusion and state the facts in this report that the deficit is caused by the outrageous price paid to the railroads

for carrying the mails, and they state that they can not see any hope of ever getting 1-cent letter postage until we reduce the amount of pay to the railroad companies, so that it will be fair to the railroads and fair to the people—the taxpayers.

In this report every merchant who indorses it, every business man admits that the railroads are vital to the welfare of the country and to their prosperity, that they are friendly to the railroads and want to see the railroads prosper, because they must depend upon the railroads doing business at a profit in order to extend their lines and put on more trains. That is recognized by every manufacturer and merchant and wholesaler. They state it in the report, but they say that notwithstanding that, they also realize that unless we reduce the compensation paid to something like a fair basis the merchants of the country and the business men who must send out thousands and hundreds of thousands of letters a year can never get 1-cent letter postage. So the business interests of this country are standing by this amendment. They ought to have 1-cent letter postage. There is no reason why we should longer delay giving the public 1-cent letter postage. It can never be got until we reduce and adjust the pay to the railroads to a fair and just basis.

Mr. President, I desire that matter to go into the RECORD with a few remarks explanatory of it. Besides, I have just received a telegram from one of the members of the committee who prepared the report that further data than is given in the report has been prepared and that it will reach Washington to-night. I wish that information—I do not know yet how lengthy it will be—to go into the RECORD along with my amendment, and I hope when the Senator reads it or hears it read he will withdraw his objection to my amendment and accept it. I wish to look over that matter to-night. I wish to present it to the Senate to-morrow morning, and I do not desire to unnecessarily detain the Senate on this amendment, yet I must take sufficient time to intelligently present the matter.

I have said this much now so that the chairman of the subcommittee in charge of the bill and the Senate can understand something about the amount of work I have done investigating this question, the amount of information I now have which I think should go into the RECORD, and the length of time it will necessarily take to present the matter in the briefest possible way. Under ordinary conditions I would ask the attention of the Senate for at least one day to present the facts I have. I would do it because it ought to be made public, whether the Senate acts on it or not, and the Postal Commission ought to have the benefit of it.

For these reasons I do not wish to see a unanimous-consent agreement made for a vote to-morrow unless there is also carried with it a proposition to permit a reasonable amount of time to-morrow for a further discussion of this bill. I understand the Senator from South Dakota [Mr. PETTIGREW] has some remarks to make on the bill. I do not know how much time the Senator from South Dakota desires, but I know he is very much interested in the amendment I have offered; so I should not like to agree to take a vote at 1.30 o'clock without some understanding as to how much time he should have to discuss the amendment before the vote is taken.

Mr. QUAY. At what time to-morrow will the Senator from North Carolina agree that the vote shall be taken?

Mr. BUTLER. There are one or two minor amendments that I wish to offer and have disposed of, and then I will answer the Senator's question, for I hope we can reach an agreement. I wish the attention of the Senator from Pennsylvania to page 20. These are matters which I wish disposed of before we reach a unanimous-consent agreement. I refer to page 20, line 18, where it provides that the commission shall be continued during the next two sessions of Congress. Yesterday when the Senator from Iowa proposed to put the limit at March 1, 1900, I did not pick up the bill to see at what place the amendment would be put in and what would be the effect of it.

The amendment, I see, has been inserted on page 21, line 3, after the word "Congress." That is not where the amendment should have been placed. I much prefer the bill to stand as it was, requiring the commission to make a report as soon as possible after the beginning of the first session of the next Congress. The amendment placed at that point is notice to the commission that they can delay the report that much instead of making it the 1st of December. If the commission can report on the 1st of December I think they ought to do it, and Congress ought to have a chance to consider the report, as it will take some time to examine and digest it.

Certainly the commission has no business living after its report is made. Therefore, if the commission is going to report on December 1 next, or even on the 1st day of March, 1900, we do not want a partial report at that time, for if the commission should say "this is only a partial report," then a year from to-day we would be asked to vote for \$36,000,000 and to wait another year for a complete report. Therefore I ask unanimous consent

to insert the amendment on page 20, in line 18, after the word "continued," so that it will read that—

The commission * * * is hereby continued to March 1, 1900, with all the powers and duties imposed upon it by said section 5 of said act.

Mr. QUAY. I can not assent to that. I am not a member of the postal commission and am not prepared to speak for them.

Mr. ALLISON entered the Chamber.

Mr. BUTLER. I notice that the Senator from Iowa is now in the Chamber. He was not in when I offered the amendment.

Mr. QUAY. The Senator from Iowa can respond.

Mr. BUTLER. He was not in the Chamber when I asked the Senator from Pennsylvania to agree to it.

Mr. QUAY. I can not agree to it.

Mr. BUTLER. I desire the attention of the Senator from Iowa. I ask unanimous consent to amend section 4, page 20, of the Post-Office appropriation bill.

Mr. ALLISON. State what the amendment is.

Mr. BUTLER. By inserting after the word "continued," in line 18, the words "until March 1, 1900."

Mr. ALLISON. I can not consent to that. It might be necessary to continue the commission longer. I agreed to an amendment the Senator offered a day or two ago which covers the specific point which he makes.

Mr. BUTLER. I submit that I did not offer the amendment, as the RECORD will show. The amendment was offered by the Senator from Iowa.

Mr. ALLISON. I offered it at the Senator's suggestion.

Mr. BUTLER. My suggestion was intended to cover what I now desire to cover by this amendment. I did not pick up the bill to see just where it was inserted or what was the effect of it. My purpose was to limit the commission to March 1, 1900, and the amendment inserted does not do it. It allows the commission to go on and work through the next two sessions of Congress and to continue to make reports supplemental and partial, if they please, or otherwise.

Mr. CHANDLER. If the Senator will allow me, I will state that the commission is composed wholly of Senators and members of the House of Representatives. It does not cost anything when Congress is in session, at any rate. The Senators and Representatives upon the commission receive no compensation whatever, and practically do no business except as a joint committee of Congress when Congress is in session. Unless the Senator wants to stop the commission entirely, I do think he ought to let the commission exist virtually only as a joint committee of the two Houses during the whole term of the Fifty-sixth Congress.

Mr. BUTLER. Oh, Mr. President, the question of cost, however much or little it will be, for this commission is a matter of no importance—a bagatelle compared with the importance of having a report at some time when we can act on it intelligently. The fact that the commission is paid nothing or paid \$50 a day is a bagatelle in comparison with the importance of having the report made at some definite time.

Mr. CHANDLER. Let me suggest to the Senator that he has moved an amendment which provides that the report shall be in by a certain time.

Mr. BUTLER. The amendment was offered by the Senator from Iowa [Mr. ALLISON] at my suggestion, but upon examining the RECORD this morning I find that it was not inserted at the right place. It will not have the effect I desired. I was not careful enough to look and see just where the amendment would be put in when it was proposed by the Senator from Iowa. The amendment as it now stands would permit the commission to make only a partial report, which would be of no value in reaching a conclusion.

Mr. President, we do not want a partial report from this commission on the 1st day of next December, nor on the 1st day of next March; we want a full and final report. I want to know what better condition we will be in a year from now, to have the commission come in and make a partial report, to act intelligently on this matter than we are now when they tell us they are not able to make any report. We will be told by this commission a year from now that Congress must not make a reduction in pay, because they have not made a final report.

I do not desire to hurry the commission. I did not desire to have it loaded down with a multiplicity of subjects to investigate that are irrelevant and secondary, to say the least, to the important matter to be considered. No one strived harder than I did to limit this investigation within proper lines so that an intelligent report could be made within a reasonable time. Under the amendment already agreed to we will, I fear, have a partial report made a year from now, and then we will be told that it will take another year for the commission to finish. If that is not the intention, then why is there any objection to my amendment? I would not have made that charge if there had been no objection to my amendment. There is no other reason to object to the amendment except that we are not to have a report upon which we can act one year from now, but it will be asked that it shall go over

for another year, and we shall increase the appropriation bill \$3,000,000 more while waiting for another year's investigation.

Mr. HAWLEY. Will the Senator yield to me for a moment? I want to appeal to him.

Mr. BUTLER. Well, I will yield for an appeal.

Mr. HAWLEY. I had the floor. I had entire control in a parliamentary sense; I had the Army bill up, and through my kindly feeling to my old friend, the Senator from Pennsylvania, who desires to leave town, I said I would yield for a time. I was assured the debate would last but a little while; that all had been said and done that needed to be said and done. Now I ask the Senator from North Carolina to be as kind as I was, and to give the Senator from Pennsylvania time to conclude his speech, if he has one, or his bill.

Mr. BUTLER. I yield now for the Senator from Pennsylvania if he has anything to say, and I will conclude afterwards, for I hope he will accept this amendment or endeavor to persuade his colleagues to accept it. Certainly I would not keep the floor against the chairman of the subcommittee if he has anything to say. But I have something further to say if this amendment is not accepted about the commission and when its report will be made.

Mr. HAWLEY. One word more, if the Senator pleases. I yielded with the distinct statement made by those around me that I could resume the floor at any time.

Mr. QUAY. That was the agreement.

Mr. HAWLEY. I suppose at this moment I could do so, but if it will help the Senator from Pennsylvania I will yield a little longer.

Mr. QUAY. I have no desire to occupy the time of the Senate with any remarks upon the bill. My desire is to reach a vote upon it, and that is what I am anxious to have done. If the Senator from North Carolina will yield, I wish to know if we can not fix some time to-morrow at which a vote can be taken.

Mr. BUTLER. I desire now to have an agreement about when this postal commission will make a final report. Then I am ready to agree to an hour to-morrow for a vote on my other amendment and the whole bill. I can not agree to unanimous consent until this matter is settled. It is a small matter. It is the small matter of asking this commission to make its final report by March 1, 1900, so that we will not be asked at that time to wait another year for enough information to act upon. I had not the least idea that anyone would object to it. I supposed the Senator from Iowa meant that the other evening, and when I find there is objection to it it astonishes me.

Mr. ALLISON. I dislike very much to astonish the Senator from North Carolina. If it will satisfy him I will consent, so far as I am concerned, to put in the words he suggests—

Mr. BUTLER. I am very happy—

Mr. ALLISON. If we can have a vote on the bill. I do not regard it as material.

Mr. CHANDLER. I understand the Senator from North Carolina wants the bill to go over until to-morrow in order that he may further discuss the question of railway-mail pay. If the bill is going over until to-morrow I think it might as well all go over.

Mr. ALLISON. I agree with the Senator from New Hampshire.

Mr. BUTLER. I can not consent for this bill to be laid aside now unless this amendment is agreed to at this time, because I wish to discuss to-morrow morning my amendment reducing railway-mail pay.

Mr. ALLISON. I hope the Senator will consent that we may complete the bill to-night. It is now only 25 minutes after 3.

Mr. BUTLER. The Senator from Iowa has offered an amendment. I ask unanimous consent that that amendment be inserted on page 20, line 18, after the word "continued," inserting the words "until March 1, 1900," in lieu of the words "during the Fifty-sixth Congress," which are to be stricken out.

The PRESIDING OFFICER (Mr. CLARK in the chair). The Senator from North Carolina asks unanimous consent that on page 20 of the bill, line 18, the Senate shall strike out the words "during the Fifty-sixth Congress" and insert "until March 1, 1900." Is there objection?

Mr. CHANDLER. Is it the understanding that if that is done we shall finish the bill now?

Mr. BUTLER and Mr. PETTIGREW. No.

Mr. CHANDLER. Then I object.

Mr. BUTLER. If that amendment can be agreed to now, as far as I am concerned I will consent to fix a time to vote to-morrow.

Mr. QUAY. That will not do. The Senator from New Hampshire objects.

Mr. BUTLER. We will not need much time to-morrow. The Senator from South Dakota desires about half an hour, and I will not desire more.

Mr. QUAY. At what time to-morrow would the Senator suggest?

Mr. BUTLER. I should want the agreement to begin, say, at 1.30, and to run on to 3 o'clock, so as to give the Senator from South Dakota time, and myself time, and possibly others. The Senator from Illinois [Mr. MASON] desires a little time.

Mr. HAWLEY. While this is going on—I can not hear at all—I put in again my protest in this fashion. I shall resume the floor whenever I think best. I reserved that right specially when I yielded.

Mr. BUTLER. I again ask unanimous consent.

Mr. HAWLEY. I shall be sure to take the floor again if I think there is a three hours' speech coming, repeating what the Senator has been saying for two or three weeks.

Mr. ALLISON. The Senator from North Carolina, as I understand him now, proposes that we shall vote at half past 1 to-morrow.

Mr. QUAY. At 3 o'clock, as I understand the Senator from North Carolina, provided the amendment in relation to the termination of the duties of the Postal Commission shall be accepted.

Mr. BUTLER. It can be agreed on now.

Mr. HAWLEY. We can not agree on that.

Mr. SPOONER. I should like to ask the Senator from Iowa a question. Can the commission report by March 1, 1900?

Mr. ALLISON. I do not like to express an opinion absolutely upon that subject in the absence of the chairman of the commission, but I think it can. It is my own opinion—

Mr. QUAY. Then I understand the Senator from Iowa does not object to the insertion of the amendment of the Senator from North Carolina?

Mr. ALLISON. I do not object if we can have an understanding that this matter shall be disposed of at some time. However, the Senator from New Hampshire objects. I do not wish to make an agreement that is not agreeable to him.

Mr. CHANDLER. If the bill can be completed now I would not object, because I recognize that we make progress, but we do not make any progress if the bill is to go over until to-morrow on condition that sitting here we will agree to a specific amendment in the absence of the chairman of the commission. Therefore I do object to that kind of an arrangement.

Mr. BUTLER. I hope the Senator from New Hampshire will withdraw his objection. We can reach an agreement this afternoon to take up this bill at a certain hour to-morrow and vote at a certain hour if the Senator will not object to this amendment. If he can not consent to that, then we shall have to go on without any agreement.

Mr. ALLISON. I suggest to the Senator from North Carolina that we take up the bill immediately after the routine business in the morning and conclude it at 2 o'clock, as that is the hour when the Senator from Connecticut (Mr. HAWLEY) would desire to make his observations upon the Army reorganization bill. That, I think, is the proper thing for us to provide for.

Mr. BUTLER. After consulting with the Senator from South Dakota I am satisfied that we can vote before 3 o'clock.

Mr. HAWLEY. I want to understand what my rights are before I consent to any agreement. Have I not a right to take the floor immediately after the morning business?

Mr. ALLISON. The Senator can move to take up the Army bill then; but the bill, I understand, is the regular order at 2 o'clock, and that will be the natural time for the Senator from Connecticut to take the floor.

Mr. BUTLER. The unanimous-consent agreement would hold, however, if we should reach one.

Mr. HAWLEY. There has not been any made, that I know of.

Mr. ALLISON. The Senator from Connecticut will be entitled to the floor at 2 o'clock. Now, why not complete this bill before that hour, so as not to interfere with him? He has yielded this afternoon, and very kindly, to the Committee on Appropriations, and I hope that an arrangement will be made for the completion of the bill, as the Senator from Pennsylvania, I know, desires to be absent to-morrow.

Mr. BUTLER. I am very anxious to accommodate the Senator from Pennsylvania. Mr. President, again I ask unanimous consent that on page 20, line 18, after the word "continued" the words "during the Fifty-sixth Congress" be stricken out and in lieu thereof the words "until March 1, 1900," be inserted.

Mr. CHANDLER. I will not object, but I shall ask for another vote on it when the question is on concurring in the amendments made as in Committee of the Whole.

The PRESIDING OFFICER. The Senate has heard the request of the Senator from North Carolina for unanimous consent to insert on page 20 "until March 1, 1900," striking out the words "during the Fifty-sixth Congress." Is there objection?

Mr. GORMAN. Let the amendment be read at the desk. Let us see what it is.

The SECRETARY. On page 20, line 18, after the word "continued" strike out the words "during the Fifty-sixth Congress" and insert in lieu "until March 1, 1900."

Mr. ALLISON. That is not the amendment that I understood

the Senator to desire. It was that a final report should be made not later than the 1st of March, 1900, on this subject. That is what the Senator said he desired to do.

Mr. BUTLER. Now, Mr. President, it has been contended that you could not intelligently deal with this question on an appropriation bill without having the other questions investigated, and no Senator has presented that view of it more persistently for the last two or three sessions than the Senator from Iowa. Therefore, he has insisted upon loading down the commission with investigating a dozen different subjects and claiming that we could not intelligently act on this question of railway mail pay until we had investigated those other questions. Therefore, he will quote his former speeches on us if we agree to that. He will say that we can not fix the railway mail pay on an appropriation bill until the commission reports on everything else. Therefore, his reasons were good a year ago in loading down the commission, or they were not good. If they were not good, there is no reason why he should object to my amendment.

Mr. ALLISON. A final report on the subjects submitted to the commission means a final report upon every subject.

Mr. BUTLER. Then there is no objection to the amendment.

Mr. SPOONER. They might be ready to make a final report at the date fixed by the Senator on this subject and yet not be ready to submit a final report on all the subjects committed to the commission.

Mr. BUTLER. The Senator will remember the reason given for loading the commission down with so many different subjects. The Senator from New Hampshire [Mr. CHANDLER] and myself and a number of others were opposed to having the commission investigate anything but this subject, and we contended that if an investigation of other things was desired that it should be done by a different commission. That was our contention. We were replied to by the Senator from Iowa and others by saying, as the Record will show, that we could not intelligently know how much to reduce the railway-mail pay until we had investigated all these minor or secondary subjects with which they have loaded down the commission. Were they right or were they wrong?

Mr. SPOONER. I do not care whether they were right or whether they were wrong. My point is this, does not the Senator gain all that he desires to gain if they make a final report on this subject upon the 1st day of March?

Mr. BUTLER. I do not, provided the Senator from Iowa repeats his old contention that while they may make a report upon this subject Congress can not act until they get the rest of the report.

Mr. SPOONER. You are not asking unanimous consent for the Senator from Iowa to repeat his old contention?

Mr. BUTLER. I am asking unanimous consent that we shall have the commission conclude its work on the various subjects put before it by that date, because I know if they do not conclude their work by that date we will be met with the old argument, the very one that prevailed here with Congress a year ago to load down the commission. They claimed that you can not intelligently reduce the railway mail pay until you learn what the commission have to say on all other subjects. I have heard it so much that I know it by heart. It is worn-out and threadbare with me, and I do not want to hear it any more.

I want to be able to read their whole report from the first page to the last, to study it, and to be able to come into this body and to discuss it intelligently and agree with its conclusions or not agree with them, as my judgment dictates, on the facts presented. I can not do it unless I have got their full report, unless they have been fooling me and fooling Congress in the past, which I will not charge.

Mr. President, I ask unanimous consent that on page 20, line 18, after the word "continued" to strike out the following: "during the Fifty-sixth Congress," and insert in lieu thereof "until March 1, 1900."

The PRESIDING OFFICER. Is there objection?

Mr. CHANDLER. I object.

The PRESIDING OFFICER. Objection is made.

Mr. BUTLER. Since we can get no agreement that we shall have a final report from the commission even a year from now, I will proceed to discuss fully at this time the question of reduction of railway mail pay.

Mr. President, when I was interrupted at 2 o'clock and taken off the floor by the unfinished business, I was discussing a very valuable report made by the Second Assistant Postmaster-General, who was sent to Europe by the Postmaster-General to investigate this very question, to find, if possible, any data on which an intelligent comparison could be made upon the railway mail pay in France, Germany, England, and this country.

I fear the Committee on Appropriations has not examined this valuable report. I trust that the Postal Commission will examine it, for it contains information that they will hardly be able to get elsewhere. I was reading from page 320 of this report,

giving information gathered in England. I had just shown that a whole train of ten cars put at the disposal of the post-office department in England costs only 85 cents a mile, while we pay 25½ cents a mile for a single car. The report continues:

The secretary of the general post-office informed me that the cost of mail transportation was about £10 sterling per ton per annum.

That is about 2.4 cents a pound, while we pay about 6.5 cents a pound here. These facts speak for themselves.

Further on in the report, speaking of the many advantages the people derive from the English postal system, he says:

In the city of London the local service is admirable. Every detail connected with the express, or special delivery of letters, as we call it, seems to have been carefully studied and provided for. A small extra fee will secure a large variety of service at the hands of the post-office officials—service that is performed in this country by special messengers connected with the express or telegraph companies. The collection and delivery service within the city limits is performed by a large number of employees, who receive much lower salaries than do our carriers and clerks, insuring a prompt interchange of letters between the several sections of the city.

With these many advantages and with a parcels-post system permitting parcels weighing 1 pound to be sent anywhere for 3 pence, and parcels up to 11 pounds to be sent for the small sum of 12 pence, the English postal system is more than self-sustaining, while we have a deficit. The difference in railway mail pay furnishes the explanation.

We will now turn to the report on the French postal system. Mr. Shallenberger says:

The conditions of the postal service in France are very different from those prevailing in the United States, and are somewhat unique.

The Government control of railways has always been such as to secure substantially free transportation for mails. When the Government sanctioned the building of railways and granted franchises, it was with the understanding that mails should be carried free as a consideration. Hence it is that the Government has reserved the right to send out one full mail train each day on every railway running out of Paris. This train usually leaves in the evening, carrying the accumulated mail of the day, as almost any point in France can be reached for early morning delivery. The regular mail train shall not be composed of more than 10 coaches, each about 36 feet long; nor shall any coach carry more than 10 tons of mail. The coaches may be fitted up as post-office cars, or they may be storage cars or compartment cars, at the option of the post-office department.

Thus we see that while England pays only 85 cents a mile for a full special mail train of 10 cars, France pays nothing for one mail train a day on each road. But this is not all. France can have every train run on every road to carry one mail car extra free of charge. I read from the report:

If the needs of the service require more than 10 coaches, the extra coach may be attached to a later train free of charge. This for the reason that the Government not only reserves the right to have one postal train on each road daily, but also reserves the right to have one car on every train; and if a full car should not be required, it may use free two compartments in a car in every train, there being three compartments in a car.

As I have said, one car may go free on every train, but if more than one is needed, then each extra car in excess of one must pay to the railway company, as mileage, 50 centimes, or one-half a franc, per kilometer of distance (one-half a franc being 10 cents and a kilometer being 0.62 of a mile). This is equivalent to about 15½ cents per mile traveled, and of course includes the weight of mail carried in the car, as well as the 6 clerks who are engaged in sorting the mail—1 chief clerk, 4 clerks, and 1 guard. The car is about 36 feet long, and is owned and maintained by the post-office department. The railway company must keep it in repair, furnish light, etc., but the post-office department must reimburse the company for such expenses.

These extra cars belonging to the Government, and which are used and paid for under the exceptional circumstances I have named, seem to afford the first real basis for comparison between the cost of railway transportation in France and in our own country.

Thus we see that France has each day one full mail train of ten cars run on every road free of charge, and besides one extra mail car on every other train, each free of charge, and never pays a cent for its postal service until it requires in addition more than one extra car, and then she pays only 15½ cents a mile for that car, while we pay 25½ cents a mile for each and every car. In short, France gets twelve postal cars hauled for 15½ cents per mile, while we pay 25½ for one car a mile. In addition to the above, France had made arrangements with the railroads to furnish certain special fast-mail trains.

I read now from this report, on page 323, and I wish to call the especial attention of the Senate to the following paragraph:

Another basis for comparison is found in connection with the special trains running between Calais and Brindisi, which carry East Indian mail for Great Britain. The railway company receives for that service 5 francs per kilometer of distance for each and every train, whether composed of one or more cars, with the proviso that in no case shall the number of cars exceed 10, nor the maximum capacity of any car exceed 10 tons. Reduced to our money and our mileage, therefore, the cost of the East Indian fast mail trains on the railway between Calais and Brindisi would be 5 francs per kilometer, equivalent to \$1 per kilometer, or about \$1.60 per mile. This, together with the compensation paid by the Government to the railways of France for each extra car in a train, seems to furnish the only reliable data for comparison between the relative cost of service in the two countries.

It is in this paragraph that Mr. Shallenberger says he finds the only reliable data upon which he can make an intelligent comparison between the amount paid for this service in France and in this country. For this special fast mail train France pays

only 16 cents a car per mile: We have already seen that on every train of every railroad company in the whole Republic there is one full train of cars at the disposal of the Government for carrying mail and for no other purpose, and the Government does not pay a cent for it; in short, that every railroad company donates to the Government a free train of ten cars every day in every year to carry mail from one part of the Republic to the other.

Not only that, but on every other train—every passenger train, every express train, and every freight train—the post-office department has the right to have one postal car attached free of charge, and only when more than one postal car is attached does the Government of France pay a single cent to the railway companies for transporting its mails, and then she pays only 15½ cents for that one extra twelfth car. Then when she has more than one full special train a day she pays 16 cents a car for the extra train, but nothing for the first train. So the Postmaster-General takes this exceptional case for a comparison. That shows at once that even if France were to pay a fancy price for that special service, if France paid ten times for that special service what we pay for special service, still the railways of France would not receive one dollar where our railways receive ten dollars for carrying a ton of mail.

While there is a great deal of interesting matter in this report with reference to France, I pass along to the report on the postal system of Germany. Mr. Shallenberger in that report says:

Railways in Germany, if not to the same extent as in France, yet are substantially under Government control. The telegraph and the telephone systems are also under the control of the post-office department.

From one of the documents furnished me by the post-office department, entitled "Instructions for the execution of the provisions of Article II, paragraph 4, of the regulations concerning the railway postal law of December 20, 1875, relative to the method pursued in ascertaining the amount due for conveying, by railway, articles of mail matter on which payment must be made," I have secured the following translation of paragraphs which are of interest in this connection:

"Statistics are taken every year in May—one year during the first two weeks of May and the second year during the last two weeks of May—and the number and weight of all articles above 22 pounds ascertained during that period, on which payment has to be made at the rate of 20 pfennigs per axle kilometer.

"Whenever two lines of railway use the same track to a given point separate statements are to be made for each.

"As far as circumstances permit, the requirements of the postal service must govern the arrangements of the railway service.

"The postal service can not require special trains.

"On every train there is to be one car furnished for conveying articles which are free—letters, newspapers, money, uncoined gold or silver, jewelry and precious stones, without limit of weight, all officials, and all material and apparatus needed in the performance of their duties."

So we see in Germany what we saw in France, that every train running across the German Empire, with the few exceptions which I will name, carries a mail car for the post-office department free of charge. All the mail that the post-office department can put in one car does not cost the taxpayers of Germany a cent. When the franchises were given to these railroad companies the Government reserved the right to have a mail car carried free on every train with any amount of weight that the Government sees fit to place in that car, and with just as many individuals and officials as she may see fit to place in it. It is only when additional cars or special trains are run in Germany that a single cent is paid by the Government for the postal service. From page 324 of the report I read the following extract:

In trains which are intended for the regular service of the railway, which are not used for the conveyance of mails in the manner otherwise indicated, the postal administration may either deliver to the railway officials, for free conveyance, mail bags and packages of letters or newspapers, or they may cause mail bags, packages of letters, and newspapers to be cared for and conveyed by a postal official, to whom the necessary space in a railway car is required to be furnished free of cost.

The railway-mail cars used for the regular service are furnished on account of the postal administration. The railway administrations are required to maintain the cars in clean and perfect condition on the payment of a small remuneration therefor.

Empty railway-mail cars have to be carried by the railways according to the tariff which they charge for articles of freight.

Whenever railway-mail cars are damaged or unable to be used, the railway administrations are bound to furnish to the postal administration suitable freight cars as substitutes. For these freight cars the postal administration has to pay the same rent as the railway administrations would pay if they rented cars from other railway companies.

In building new depots or stations the railway companies are bound to furnish and maintain in good order, at the request of the postal administration, separate rooms for the postal service upon payment of a suitable rent. The same applies to enlargements of railway depots.

Those are services that nobody in this country has ever thought of asking of the railway companies; nobody has asked that they should build accommodations in their depots for railway mail clerks to lodge at night. So, in addition to free mail cars and free transportation of mails, the Government calls upon the railroads to furnish lodging room in their depots, additional rooms and apartments, where the post-office officials can be lodged at the depot conveniently.

Mr. Shallenberger further says:

If there are no suitable private residences in the neighborhood of depots, the railway companies are bound, in preparing plans for depots or stations or for enlarging stations, to have suitable regard for living rooms for the pos-

tal officials, to be paid for at the rate of rent prevailing in the city in which the depot is located.

In other words, the Post-Office Department has the right under the law to call upon the railroads and order them to build rooms as a part of their depots for rent to the postal officials of the Government, and the railroad companies are obliged to rent those rooms to the postal officials on the same terms that they could find a lodging house in the town. We never thought of asking any such expenditure and concession from the railroad companies in this country.

In Germany they carry over every road a mail car free of charge, and nothing is paid except where the Government puts more than one car on a train; and in addition they furnish accommodations in their depots for the Government postal clerks. Here we pay for everything, and pay the railroads three or four times as much as they charge anybody else; and yet somebody has expressed some surprise that the Post-Office Department in this country is not self-sustaining. Why, Mr. President, the richest gold mine in the world would not be self-sustaining with such a drain upon it.

Continuing, this report says:

Railway postal cars, specially constructed for the postal service, are built and maintained at the expense of the post-office department.

I have an amendment pending providing for the same reform.

The several railways are required to haul, free of cost, at the request of the post-office department, one railway postal car by each train provided in the time-tables. The post-office department, however, is required to pay for the cleaning and lubricating, as well as for ranking the postal cars in and out of trains—for the first performance 20 pfennigs.

Twenty pfennigs is about 5 cents.

This free hauling comprises within the car—

"1. The mails, articles of money irrespective of weight, and parcels weighing no more than 10 kilograms."

Which is about 22 pounds, I think.

"2. The post officers or post clerks who are necessary to handle the mails en route.

"3. The tools necessary for transacting postal business."

At the request of the railway companies the conveyance of parcels by express trains may be limited or excluded. The conveyance and transfer of mails and the parcels between the local post-office and the railway station devolve upon the post-office authorities. For the transportation of parcels weighing more than 10 kilograms the railway company receives payment on a basis of the car axle. Statistics are taken every year, in the month of May, as to the weight of such parcels. The aggregate weights obtained are reduced to one kilometer, railway distance, and a thousand kilogram-kilometers are counted as one axle-kilometer. The compensation is at the rate of 20 pfennigs per axle-kilometer, or one-fifth of a mark per axle for 0.62 of a mile.

If upon any train one postal car or postal compartment is not sufficient, the railway company is required—

"1. To admit additional cars for conveyance; or

"2. To place at the disposal of the post-office suitable baggage cars or compartments of passenger cars; or

"3. To take charge of postal articles received from the post-office department for proper conveyance. This obligation on the part of the railway company to receive parcels is not applicable to express trains on which the conveyance of parcels is limited or excluded therefrom."

The compensation to be paid the railway company for hauling extra post-office cars owned by the Government is 8 pfennigs per axle-kilometer, and for goods, cars, or compartments of passenger cars, 10 pfennigs per axle-kilometer.

German railway postal cars are of three different classes.

"Class 1, 8.5 meters in length, 2 axles."

"Class 2, 10 meters in length, 3 axles."

"Class 3, 12 meters in length, 4 axles."

The fee for class 1 would therefore be 2 axles multiplied by 8 pfennigs equal 16 pfennigs each per kilometer of distance.

Class 2, 3 axles multiplied by 8 pfennigs equal 24 pfennigs each per kilometer of distance.

Class 3, 4 axles multiplied by 8 pfennigs equal 32 pfennigs each per kilometer of distance.

The postal officials and clerks and supplies necessary for the service are conveyed free in such cars. When postal articles are handed to the railway companies for conveyance by their own officers the usual express freight of the railway is to be paid as compensation. In trains destined for regular service, and when no postal car or postal compartment is used, the post-office department may, by agreement with the railway company, deliver to the railway guards mails and newspaper packages for free conveyance or send a postman with such conveyance. The postman in this case receives free transportation in the railway car.

A few moments ago I stated that there were certain exceptions to that general rule. I will now turn to the exceptions so as to present all sides of the case. The report says:

Railways of inferior significance and railways for the first eight years of their establishment are exempt from the above regulations as to free transportation.

So we see that this general rule applies, except in the smaller and weaker railroads; and for the first eight years, when a road is trying to get established and get on its feet, at a time when traffic is least profitable, when towns have not been built up and the stations not erected, when the country has not been developed through which the railroad runs, when the companies are under heavy expense in keeping the roadbed in good condition, the Government does not require them to haul the cars free, but pays them. After eight years, however, they are required to carry a mail car free and to carry free upon it anybody and everything the Government sees fit to send, as we have seen above.

Now notice the next paragraph:

As every car on a train in excess of the one carried free must pay a fixed charge per kilometer of distance, according to size regulated by the number of axles, it is the practice of the postal authorities to have as many trains out of Berlin daily on the several railways as there are cars to be dispatched, if possible. This, however, is not possible, in view of the large increase of postal business, so that it is necessary often to rent extra cars to supplement the one postal car, which is fitted up in latest style with casing, tables, racks, closets, storage bins under the floor, and other conveniences for sorting mail in transit.

So we see that the Government actually requires the railroads to run extra trains, and without any compensation, in order that there may be one mail car free upon them. In other words, the schedule of the railroads is more under the direction of the post-office department in that country than it is under the direction of the railroad officials themselves.

Mr. Shallenberger, continuing, says:

It was my privilege to visit these regular postal cars, which, as I have said, are owned by the Government and are from 30 to 40 feet long, usually of the smaller size, three axles; but the disposition of late is to increase the size, so that while an increasing number of four-axle cars are now in use, it is altogether likely that a still further increase in size will be made in the near future. These cars, as I am informed, cost the Government from 15,000 to 25,000 marks—

That is from \$3,000 to \$4,000 apiece, and that bears me out in the contention I made last year, that we are paying for the rent of postal cars more than it would cost us to buy them—

and one is carried free on every train. The evening I visited the station three cars were standing ready to go out upon the train. It is in connection with the carriage of parcels weighing over 22 pounds and also with these extra cars that we find a basis for comparison of cost of railway mail transportation in the United States and Germany. It will be remembered, of course, that the service required of the railway company is solely to haul these cars to and fro. No railway employees load or unload the cars or assist in doing so. No side service of any kind, such as delivering mail into near-by post-offices and collecting mail from such offices, is to be performed by the railways of Germany. All necessary postal clerks and officials are carried free, as in the United States, and on small country or lateral railways closed-pouch mail is received in the baggage car by railway employees and handed out at the several stations, they being responsible for the same in transit. Distances are usually short, and for this service a fixed sum per trip, namely, 50 pfennigs, is paid—

That is about 12½ cents. Senators will note, by reading this report, that everything we pay for here we pay more extravagantly for than is done in other countries. There is not a similar service performed on a single line of roadway in the United States of any length for which there is paid as little as 12½ cents; and yet that is the price paid in Germany.

Another advantage these new roads and small roads have is that for the first eight years they are not required to perform any free service, such as the conveyance of one car in each train or of a compartment in any car. No catching and delivering devices are in use in Germany, hence no such expense devolves on railways as with us.

However, the devices in Great Britain for delivering mails and catching them up while the trains are in motion are superior to any that we have in this country, and, in fact, superior to any others in the world, as this report shows.

The expense of repairs to cars—cleaning, lighting, heating, etc.—are borne by the Government, and a fixed charge is made by the railway company of one mark for coupling a postal car to a train and returning it to the yard to be reloaded.

That is about the same charge that is made in France—

As appears from the foregoing statements, the price paid railways for hauling an extra car owned by the Government is 8 pfennigs per axle for every kilometer of distance traveled, and for an extra car owned by the railways (and there are many such used for parcels, newspapers, etc.) the price is 10 pfennigs per axle per kilometer of distance. Ten pfennigs is about 2½ cents of our money. A kilometer is 0.62 of a mile. An average car of four axles is not larger than one of our 40-foot postal cars. Thus it appears that 10 cents for a car 40 feet long, 0.62 of a mile, would be about 16 cents of our money for each mile traveled, or for cars owned and maintained by the Government, one-fifth off, 12.9 cents per mile.

While in this country we pay 25½ cents per car—that is, for cars owned by the railroad companies—while for cars when they are owned and maintained by the Government we take off one-fifth of the charge, which leaves it 12.9 cents per mile—less than half the amount paid in this country.

Mr. PETTIGREW. Does that include the whole cost?

Mr. BUTLER. That includes the whole cost; in fact, there is one car carried absolutely free, the Senator will remember, for which there is no charge, but this is the case of an extra car in addition to the one carried free. The Government can put whatever it pleases in the free car and carry as many officials and as much mail as it pleases; but even in this extra car the only thing it pays for is this small charge, which would make the charge for the two cars something less than one-fourth of what we pay here.

Proceeding with his report, Mr. Shallenberger says:

I visited one of the principal railway stations in Berlin at half past 9 p. m., July 29, in company with one of the officials of the post-office. The train for Silesia and the east was standing on the track. On entering the subway under the track floor of the station I found a large area almost given to postal wagons and employees. Wagons were coming from all directions, dumping mail, which was being loaded into large, square trucks, and these trucks run on rapidly moving lifts which carried them to the track floor. There they were run alongside the cars and contents transferred, some into postal cars, others into parcel cars. I found 1 new four-axle postal car on

the track, about 40 feet long, with 11 clerks and employees within it, and 3 extra cars going on the same train. These extra cars were two-axle cars owned by the railway company, costing the postal department at the rate of 20 pfennigs per kilometer of distance, equal to about 7½ cents per mile.

Here was one car going free under the law, no charge made for it, and there stood three extra cars demanded by the post-office department to be put on the same train, and each one of those cars went for 7½ cents per mile, while we pay in this country 25½ cents per mile for each and every car. Yet there are some who seem to be surprised that we have a deficit, and who shut their eyes to these facts and go looking in all the highways and hedges and corners trying to take some privilege of cheaper rates for second-class mail matter away from the people which they now enjoy in order to stop the deficit.

There might have been some excuse for ignorance about this subject heretofore, but unless it can be proved that this report is incorrect there is no excuse for ignorance on this subject now or in the future—even now, before the postal commission has made its report.

The report continues:

No late fee for posting letters is exacted in Germany, as in England; hence the rush comes, as with us, immediately before the trains leave. Letters may be deposited in the several letter boxes or in the cars themselves.

The postal cars are high and well lighted by windows and by electric lights through storage batteries.

I have heard some people say that European postal cars were very ordinary, and that they did not compare with ours. Mr. Shallenberger seems to be very favorably impressed with their cars. Continuing he says:

The engines for generating electricity are in the station inclosure, one 25-horsepower and one 20-horsepower engine. The storage tanks carry a supply for one hundred and twenty hours. Electric light is much preferred to any other.

There ought not to be a railway train run in the United States which is not furnished with electric lights. More of our horrible fires, in fact all of our fires, in railroad wrecks which occur in the summer occur from the railroad cars carrying kerosene lamps or other similar means of lighting. I think we should prohibit by law railroad companies from using any lights in their cars except electric lights. In Germany every postal car is provided with a storage battery sufficient to last one hundred and twenty hours.

That is not all. The report continues:

Cars are provided with a large storage box under the floor and between the axles, to be filled with through mail, thus affording some additional storage room. Trap doors in the floor of the cars lift up and allow the mail to be thus stored away on the journey. This little device gives more room to the clerks and allows more mail to be carried in the car.

Mr. President, I have not quite finished with this report, which I wish to finish, but I wish at this time, before proceeding, to make another effort to get unanimous consent that this amendment limiting the time of the commission may be accepted. The Senate is very thin now, but seeing in the Senate the only Senator who did object to it I will renew the request. I would not make the request if he were absent.

I ask unanimous consent on page 20, line 18, after the word "continued," to strike out "during the Fifty-sixth Congress," and insert in lieu thereof "until March 1, 1900."

The PRESIDING OFFICER (Mr. WELLINGTON in the chair). The Senator from North Carolina asks unanimous consent that on page 20, line 18, of the bill the words "during the Fifty-sixth Congress" be stricken out and that there be inserted in lieu thereof the words "until March 1, 1900."

Mr. CHANDLER. I object to that consent unless we can dispose of the bill this afternoon.

Mr. BUTLER. If this consent is given, so far as I am concerned we can have a vote at 3 o'clock to-morrow.

Mr. CHANDLER. I would rather that this amendment should go over until to-morrow at 3 o'clock.

Mr. BUTLER. Then I wish to say that no agreement can be gotten to vote to-morrow at 3 o'clock if the Senator continues to object.

Mr. CHANDLER. I have not asked that there be any such consent. The Senator from North Carolina knows that very well, and I intend no discourtesy to him. It is unusual to say that a vote will be agreed upon to-morrow or next day on condition that unanimous consent shall be given for the adoption of a particular amendment.

Mr. BUTLER. I did not say that. But I said that I could not agree for an hour to vote on the bill until this amendment could be disposed of. I made no threat.

Mr. CHANDLER. I did not mean that it was a threat, even. I said I thought it was an unusual agreement to make, and I preferred not to make it; that is, if this bill is going over until to-morrow, I should prefer that the amendment should be disposed of in the usual way. If adopted now it would be subject to another vote upon the question of concurrence in the work done by the Committee of the Whole, and then to another vote in the Senate. But when an amendment is adopted by unanimous consent, there goes along with it some sort of obligation not

thereafter to object to it, and I am not willing to have any such idea entertained unless we can pass this bill this afternoon.

Mr. BUTLER. Then, if the Senator from New Hampshire objects to voting this afternoon, I object to fixing the time to vote to-morrow.

Mr. CHANDLER. I do not. I think we ought to agree to dispose of this bill before we adjourn this afternoon, if that be agreeable to the Senator from North Carolina [Mr. BUTLER] and also to the Senator from South Dakota [Mr. PETTIGREW], who, I understand, desires to speak at some length upon the bill. I think we ought to go on this afternoon and finish the bill.

The PRESIDING OFFICER. The Chair understands the Senator from New Hampshire objects.

Mr. CHANDLER. I object to giving unanimous consent to the adoption of the amendment.

The PRESIDING OFFICER. To unanimous consent to the adoption of the amendment.

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. BUTLER. The Senator from South Dakota desires to discuss the amendment I have offered, and I yield to him for that purpose.

Mr. BUTLER. Mr. President, when I yielded to the Senator from South Dakota I was discussing the report made by Mr. Shallenberger, the Second Assistant Postmaster-General, who was sent to Europe by the Postmaster-General to investigate the postal systems of those countries, including Great Britain, France, and Germany, and to see whether or not he could secure any data or information on which there could be based an intelligent comparison between the prices paid for railway mail service in those countries and in this country.

I was reading from the report and discussing it as I proceeded. I have now reached the part of his report that refers to the parcels-post system that is in operation in Germany, in Great Britain, and in other countries. The part of the report dealing with the question of parcels post is so interesting and yet so short and compact that I can not state the matter more clearly and concisely than Mr. Shallenberger does himself. So I will content myself with reading his brief statement of the advantages of the parcels-post system, and the large amount of matter taken by the post-office department of Germany under the parcels-post system which we do not allow to go into the mails here at all.

Great benefits accrue to the public by having packages weighing 10 and 15 pounds carried by the post-office department, while we have only a 4-pound package. However, not all of their heavier packages are carried in pouches with letters, but they have a special and additional arrangement for carrying parcels along in the postal cars. Mr. Shallenberger says:

The most complete and extensive parcels post I have seen is in the city of Berlin. The smallest office in the Empire may send and receive parcels in weight under 100 pounds—

The smallest office in the German Empire may receive and send through the parcels-post system of that country packages of any weight under 100 pounds at a nominal cost. I think it is safe to say that that was established before the express company got to be very strong in Germany—before it got to be a factor in politics as in this country.

and the postmen are charged with the duty of collecting and delivering them under reasonable regulations.

These packages, many of them, weighing 20, 50, 60, 80, and 90 pounds—

No one may expect a postman to accept a parcel over 10 pounds in weight without giving a day's notice, and then paying a fee that is graded to meet the case.

Any parcel up to 10 pounds is taken by a postman just as he takes up a letter, and whenever any parcel that goes by parcels post weighs more than 10 pounds and less than a 100 he gives notice one day ahead, and by the payment of a very small fee the post-office department, through their wagon service, takes it up, delivers it to the car, and it is carried just as the express company takes up similar packages, except the cost is from one-half to one-fourth of what we pay here to the express companies for similar service. The report proceeds:

Farmers and small tradesmen use the post very freely.

There is not a country in the world that does not use the parcels post and carry more merchandise and packages through it than we do. It is one of the smallest parts of our service. It is one of the most important parts of the postal service of every other leading country.

A separate building with a large area or court and with a large number of specially constructed wagons, which make several deliveries daily, is provided for the purpose of handling parcels received in Berlin. Those to be dispatched are handled in a large building in connection with the general office. It is not uncommon for 10,000 parcels to go out daily in the morning delivery and 5,000 at each of the other deliveries, noon and evening. The

director informed me that in the ten days preceding Christmas he has delivered in one day 50,000 parcels.

I suppose there is not a Senator on the floor nor a citizen of this city who has not had bitter experience in trying to get packages delivered by the express company a week before Christmas. Yet in the German Empire the post-office department in the city of Berlin handles and delivers in the ten days before Christmas 50,000 of these parcels without any congestion or delay.

Will we continue longer to put ourselves to inconvenience and the public to inconvenience, deprive ourselves of the comforts and conveniences that we deserve as one of the most progressive and enlightened people in the world, conveniences that every other civilized country get through their post-office department, simply because there is a private company doing that business and charging us two or three prices for doing it, and at the same time giving us a poor service? Do we want them to continue to do it and get rich at the expense of the public by charging us big prices and give us poor service? The report continues:

This in a city of 1,800,000 people—

Why, that is a city seven or eight times as large as the city of Washington.

This in a city of 1,800,000 people is enough to indicate the magnitude and popularity of the system. The charge for carrying parcels when the weight exceeds 5 kilograms—

That is about 11 pounds—

is based on the zone system in use by express companies generally and nicely adjusted to weight and distance. All parcels under 5 kilograms in weight go within a distance of 75 kilometers—

Which is a little less than 50 miles—

for 25 pfennigs.

Think of that, a parcel weighing 11 pounds carried a distance of 40 or 50 miles for the small sum of 6 cents. You can not have a package in this country weighing 1 pound carried 10 miles or 25 miles or 50 miles by the express companies for less than 25 cents. Under this parcels-post system every citizen in Germany can have a package weighing 10 pounds sent a distance of 40 or 45 miles for the pittance of 6 cents, and yet the postal department is self-sustaining.

For that distance the express companies in this country would charge us 40 or 50 cents, and yet we pay the railroads ten times as much for carrying a pound of mail as the express companies pay them for carrying a pound of express, after charging this enormous fee. The express companies charge us 40 or 50 cents for this service which is performed in Germany for 6 cents by the parcels-post system, and four-tenths of that 50 cents goes to the railroad company; that is, out of 50 cents there would go about 20 cents to the railroad company for carrying that package and 30 cents to the express company, while under the parcels-post system it is taken right by the post-office department for 6 cents. Beyond the distance of 50 miles a parcel weighing 11 pounds is carried for the small sum of 12½ cents.

The rates on parcels weighing more than 11 pounds are in proportion to the excess weight and graded for each of the six zones into which the country is divided. Parcels—

Mr. TILLMAN. Will the Senator from North Carolina tell me from what book he is reading?

Mr. BUTLER. I am reading from the last annual report of the Postmaster-General.

Mr. TILLMAN. It is such a bulky volume I did not know what it is, and I wanted to know what the Senator is reading from.

Mr. BUTLER. This report is a little more bulky than usual, because it contains a special report on railway mail pay, giving the very information that the postal commission has been vainly looking for during the past year and now wants more than another year to find. I will state to the Senator from South Carolina that immediately after the adjournment of Congress last summer when this question of railway mail pay was fully discussed, as he remembers, the Postmaster-General, in a laudable desire to get all the information he could as to how our postal system compares with the systems of other countries, whether the pay in this country is in excess of the pay in other countries, etc., requested the Second Assistant Postmaster-General, Mr. Shallenberger, to go to Europe and to spend as long a time as he thought necessary in Great Britain, France, and Germany, those countries having three of the finest postal systems in Europe, and examine thoroughly their postal system; examine them not only with a view to railway mail pay, but as to every other convenience and advantage which they have that is superior to ours, and to find any and every particle of information that he could that would form a reasonable basis on which to make an intelligent comparison between the railway mail pay in those countries and in this country.

In the latter part of July Mr. Shallenberger went to Europe. He spent some time over there. Upon his return he prepared this report. It is carefully prepared. It is interesting. There is not a Senator who is interested in our postal service but who

could read it with a great deal of interest. It is well written and interesting, and it is from the facts furnished by Mr. Shallenberger to the Postmaster-General in his report when he returned that I am reading to sustain the amendment that is now pending.

I will say to the Senator from South Carolina that if our postal commission which we created a year ago had performed its work I would be reading from their report also. I would do it as a matter of courtesy, if for no other reason, because a great many members of the commission are members of the Senate, but they have not made us a report. In fact, they are now fighting a proposition to make us a report a year from now. One year ago we expected a report before we voted on this bill this year.

Now we are trying to get them to agree to a report a year from now—before we shall have to vote on the next appropriation bill—and we have been trying for the last two hours, and they object every time we request it. They want it continued and to investigate and investigate another two years, so that when the next appropriation bill comes up we will have no information and we will have to vote for \$36,000,000, or \$37,000,000, or \$38,000,000, instead of \$30,000,000. We can't get the report of the postal commission, so I am giving the Senate the best information attainable. This report certainly is authoritative. It comes to us officially, and it was made in less than a year.

Mr. TILLMAN. I will ask the Senator further, pursuing the line of investigation that he is presenting to us, whether the subject-matter of the report of Mr. Shallenberger covers any of the ground which the commission which we have appointed will cover should they ever get through?

Mr. BUTLER. It covers it as fully as it can be covered by a comparison of the railway mail pay in Europe with our pay. It is true that that is not conclusive. A comparison of their pay with ours is not conclusive, but it certainly is very important that we have the comparison, and it is very interesting and valuable in reaching a determination. This is information that the commission ought to have covered if it had not been gathered by the Postmaster-General. But I take it, since the Postmaster-General has gathered all this foreign information for them, that certainly the commission can make us a report much sooner than it otherwise could have reported.

This information has been furnished, and it did not take the Postmaster-General two years to get it. He dispatched one of his valued assistants and sent him across the Atlantic Ocean, and had him go to three countries and examine the systems in operation in the three governments, and make a full, accurate, and intelligent report on three postal systems across the Atlantic Ocean and get the information within two or three months, and here it is for us. The postal commission has not been able to investigate our system here at our doors in a year, and now object to reporting a year from now, but want two years, and possibly ten.

I would not have taken the time now to discuss this report if the members of the postal commission had agreed that we should have their report a year from now. I would have contented myself, as important as this information is, by simply putting it in the RECORD and not discussing it. But I want Senators to understand just exactly what the issue is. As carefully as the Senator from South Carolina has listened to me, he has been out of the Chamber part of the time and therefore did not know that this important information was from an official source.

Therefore, probably, he was not impressed by what he heard as he would otherwise have been.

I must ask the attention of Senators in order that they may know what is at issue and what is at stake when this postal commission, appointed a year ago, refuses to agree to give us a report a year from to-day. I want Senators to know when they vote to pass this bill what they are doing. I want them to know that a year from to-day, when I make a motion to reduce this pay, we will be met with the proposition that this commission, that has been nearly two years at work, has not finished its work and we must wait another year. That is the point. That is the issue at stake, and that is why I am asking the attention of the Senate, and that is the thing that I want Senators to consider before we vote upon this bill.

Mr. TILLMAN. I hope the Senator will succeed in getting the commission to report some time before he goes out of Congress.

Mr. BUTLER. I go out of Congress two years from now. I have been here four years, and I have been pretty diligently studying this question and trying to get some readjustment of this pay for four years. It now looks as if we will be buncoed for another year or two, and my term and the term of the Senator from South Carolina will expire before anything will be done to save the millions that are each year being wasted. We will be told a year from now by the commission that they are not through investigating. If a Senator can not secure information before the Senate so that we can act intelligently on one subject in six years, then indeed legislation in this body is a failure except through the so-called "best thought" of the Senate, which is monopolized by a very few—by one committee, practically.

Mr. TILLMAN. I wonder if the Senator can not get these gentlemen, who are interested in putting in their report, as it appears, to agree to a compromise by which Mr. Shallenberger should represent the Post-Office Department and give it to us ex cathedra, so to speak.

Mr. CHANDLER. Mr. President, I think the Senator from South Carolina ought to speak from his desk.

Mr. TILLMAN. I take the admonition of my friend from New Hampshire in good part, but he is so much like myself, moving about restlessly and speaking from any part of the Chamber he sees proper, that I do not think he ought to call me down because I happen to get over into good company once in a while.

Mr. BUTLER. At the suggestion of the Senator from South Carolina [Mr. TILLMAN], I now ask unanimous consent on page 20, line 18, after the word "continued," to strike out the words "during the Fifty-sixth Congress" and insert in lieu thereof "until March 1, 1900."

The VICE-PRESIDENT. The Senate has heard the request of the Senator from North Carolina to amend the bill in the manner stated by him. Is there objection?

Mr. PLATT of Connecticut. I object.

The VICE-PRESIDENT. Objection is made.

Mr. BUTLER. Mr. President, let Senators note what that objection means. It is an objection to having an understanding that we shall have a final report a year from now. Senators can see why I am so surprised. The Senator from Iowa [Mr. ALLISON] a few moments since expressed great surprise that I should be surprised. I am surprised because I take it that no Senator thought when the postal commission was created that we should be three years in getting a report from it.

Mr. PLATT of Connecticut. Then let us vote on the amendment. I am perfectly willing to vote on the amendment, but I do not want to have amendments passed by unanimous consent.

Mr. BUTLER. The Senator from Connecticut [Mr. PLATT] has my permission to interrupt me, if he so desires.

Mr. President, as I stated before, if there seems to be any opportunity of ever getting a report from this commission, I should be inclined to wait for it a year and discuss this matter, and place it before the country when we had gotten their report and had every particle of information they could give to us; but I submit that if we can have no understanding that we are to have a complete report covering this whole question before the next Post-Office appropriation bill comes up, then it is my duty, having this information in my possession, having gone over it carefully and considered it, to lay it before the Senate and the country, and let the people know just what the information before Congress is and what the facts are that justify a more than 20 per cent reduction, saving many million dollars each year.

I should much prefer that we should have the report of the commission, but if we can not get it, then the people and the country ought to have the best information that I or any other Senator can give them. I have diligently pursued this question, thinking that we should have a report from the commission. I wanted to get all the information I could in addition, and I intended to study their report thoroughly after they had made it, and, with the facts before me and before the Senate, to discuss the question with all the light we had. It seems now that we shall not have any light a year from now. I want the country to understand that and to understand what information was before the Senate when it votes down my amendment at this time, if it should do so. Mr. President, I now return to Mr. Shallenberger's report, where I left off. He continues:

The rates on parcels weighing more than 11 pounds are in proportion to the excess weight and graded for each of the six zones into which the country is divided. Parcels received in Berlin may be called for by the addressee or by anyone who has an order from him. If delivered by the post-office department, the delivery fee of 15 pfennigs is charged—

That is a little less than 4 cents—

which, it is found, amply pays for the cost of delivery.

That is for the delivery of a parcel weighing more than 11 pounds and less than 100 pounds. That is the service that is done by the post-office department, by the parcels-post system in Berlin, at a trifling cost. What a convenience it would be to our people to have the same service performed by the post-office at such a small cost. And yet we can have it and still have our postal system self-sustaining if we would stop the leak of \$10,000,000 or \$12,000,000 a year to the railroads.

I failed to get a reliable estimate of the cost of the parcels-post compared with the amount of revenue derived from the system, as I was informed the service is not separately reported nor the accounts so kept as to reveal the cost. The official who furnished me this information ventured the opinion that it did not pay.

So it is proper to say that as low as these charges are Mr. Shallenberger says it is doubtful whether or not the parcels-post system is self-sustaining, but the post-office department is self-sustaining. Surely if we would establish the system and increase the charge of 6 cents for an express package of 11 pounds going but 50 miles to 7 cents or 8 cents, which still would be cheap, it would

make the Department self-sustaining; or charge 1 cent more for taking up or delivering a package; but whether it would or not is not the question. Here is the great service that is performed there by the post-office department; here are the very low rates charged; and if this postal-parcel system, by itself, is not self-sustaining, then it simply shows that they make a big profit on their mail, and all the other branches must be self-sustaining to make the whole department self-sustaining.

Mr. President, there is a very interesting discussion in this report on pneumatic tubes. In fact, Mr. Shallenberger has covered about as many questions as the postal commission is to cover; he has covered as many questions in three different countries as the commission is to cover, and we shall have his report within a few months. What he says about the pneumatic-tube question is of interest, because we are appropriating considerable money as a subsidy for pneumatic-tube companies each year, and I understand the Senator from Illinois has an amendment to increase the amount that he intends to offer to this bill before we vote on its final passage.

I will read the following extract:

A system of pneumatic tubes, reaching 58 stations in Berlin, is operated from the central office, and, like other specially desirable and popular features of the postal establishment in England and Germany, is self-supporting. The tubes are very small, of course, compared with those in this country, being about 3 inches in diameter, but they are kept continuously in use, and that use is graded to their capacity. The post-office establishment, having full control of the telegraph, sends and receives its messages through these tubes. In addition to that, it sends letters weighing one-quarter ounce and less and very light postal cards through the tubes. On all of these a special-delivery fee is charged.

The tubes are operated economically, both by air pressure and suction. An electric button announces to the terminal station the starting of a carrier and that the tube must be kept free. As compared with the 8-inch pneumatic tubes which have recently been installed in the cities of Philadelphia, New York, Brooklyn, and Boston, these little 3-inch tubes seem to be very insignificant and to have little capacity; but, after witnessing the continuous use of them for a while, I am satisfied they serve a most excellent purpose in handling a very considerable and constantly increasing number of special-delivery letters in connection with the great number of telegrams constantly passing through them.

We see here that the whole pneumatic service in Berlin is a part of the post-office department there. We see that the telegraph and telephone systems are part of the post-office department, and that the post-office department is operated with all its natural functions geared up into one machine—that is, the post-office department covers the mail system, the pneumatic-tube system, and the telegraph and telephone systems, all operated by one central head, all making one full and complete post-office department. In other words, the transmission of intelligence in whatever form or shape is conducted, as it logically should be there and here, by one simple establishment, by one machine organized by the Government to perform that great service to the public.

In this country we carry what information we can by the old antiquated methods of our forefathers. All the new inventions for quick delivery of intelligence we turn over to private monopolies. We refuse to adopt the newest inventions to improve the Post-Office Department; we refuse to give the people the benefit of them, and we turn those over to private corporations, while we simply carry the mail by the old, antiquated, slow method. If any man were to run his private business on that principle, he would use only the most antiquated appliances in running his business, send over to his competitor every new invention, and allow him to use it exclusively. That is so absurd that a mere statement of it condemns it to every reasoning mind. Yet that is the policy that this Government has pursued in its Post-Office Department.

It is not the fault of the Postmaster-General, because from 1871 on to this time we have had numerous recommendations from the Department that the Postmaster-General should be allowed to thoroughly equip the Post-Office Department, bring it up to date, and make it a modern institution, so that we could carry information by all the means that new inventions have furnished to mankind.

What Mr. Shallenberger says about the telephone system is also interesting. I will read one paragraph from it.

The telephone system is a part of the postal establishment of Berlin, and is far ahead of that in either London or Paris. Dr. von Stephan, whose memory is most kindly cherished and revered, put his strong hand upon the telephone at its earliest introduction. Instruments are in every office of the postal establishment, and the central office indicates a widespread use of the system. The metallic circuit has not been generally introduced, but is one of the coming necessities, as they admit.

There is not a post-office in Germany that has not a telephone connected with the central office. The thing is self-sustaining, and the charge is less than one-half what it is here, where you have a limited service and you have to beg and offer subsidies to get any extension of it.

Mr. President, there is a great deal more of this report; in fact, there are many pages on other cognate questions which are equally as interesting as what Mr. Shallenberger has said on the question of railway mail pay, the telephone system, the telegraph system, and all the many details and little devices and improve-

ments on our post-office system, which he has studied and has set out in this report.

I shall not, however, detain the Senate longer to read from that report at present, but I wish at this time to call the attention of the Senate to the great interest which the business world, the merchants, manufacturers, and other business men of the United States to-day are taking in this question. For a number of years the National Board of Trade has been passing resolutions and petitioning Congress to give to the people of this country 1-cent letter postage. I think myself the time has about come when we should give it to them.

When we reduced the rate of postage from 3 cents to 2 cents on letters, while it temporarily increased the deficit, it caused such an enormous increase of the letter business in this country that the wisdom of it was at once justified. To-day there is not a big business concern, there is not a newspaper office, there is not a man who has any business in which he deals generally with the public, who would not mail two or three letters where he sends one, if he had 1-cent letter postage. The newspaper men of the country would often send out letters, corresponding with agents and advertising their newspapers, to the number of eight or ten where they now send one.

There is hardly a business house in a county seat in the United States that would not send out to their customers in the county two or three letters where they now send one if we had 1-cent letter postage. In fact, I believe if we were to adopt 1-cent letter postage, within five years the revenue received from it would be as great as that now received from the 2-cent postage; and the Post-Office Department would be certainly more than self-sustaining if we readjusted the railway-mail pay so that the larger bulk of the mail which a train carries would secure smaller prices per ton. There is not a railroad in the country but what is glad to cut rates to get a larger amount of freight, but when Uncle Sam piles up an enormous amount of mail freight he is expected to pay retail prices for wholesale work.

The National Board of Trade at their last annual convention passed a resolution, which shows that they have been studying this question. They not only want 1-cent letter postage, but they want reformed whatever the abuses are which make the Post-Office Department have a deficit each year. In fact, the business men of the country have about come to the conclusion that the only way they can ever get 1-cent letter postage is to find and stop the leak which causes the deficit in the Post-Office Department, and make it self-sustaining.

With that in view the National Board of Trade appointed a committee to investigate this whole question and report to their last annual meeting. The last annual meeting was held in Washington City from December 13 to 15, 1898. They passed a strong resolution, an intelligent resolution, one that showed they had carefully gone over the ground, had carefully sifted the facts. That resolution points out clearly that the way to stop the deficit is to reduce the enormous price we are paying to the railroads for carrying the mails.

I ask the Secretary to read the resolution passed by the last annual meeting of the Board of Trade, held in Washington December 13 to 15, 1898.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Without objection the Secretary will read as requested.

The Secretary read as follows:

[PREAMBLE AND RESOLUTIONS.]

[Extract from Minutes of the Twenty-ninth Annual Meeting of the National Board of Trade, held in Washington, D. C., December 13-15, 1898.]

Whereas the law determining the rates for hauling mail matter by rail has not been modified for twenty years, notwithstanding the fact that during that period, according to Poor's Railroad Manual, freight rates have declined about 35 per cent, and passenger rates have declined about 17 1/2 per cent; and notwithstanding the fact that after the daily average weight of 5,000 pounds is reached, the same rate is allowed per ton for hauling 300,000 pounds daily as is charged for only 2,000 pounds; and

Whereas since 1885 the mileage of the star routes has increased 14 1/2 per cent, and the average weight of mail matter materially increased, while figures show that the total cost of hauling has slightly decreased; while during the same period the mileage of railroad routes has also increased 43 1/2 per cent, but the cost of hauling also increased from \$14,758,496 to \$34,754,742.09, or an increase of over 135 per cent; and

Whereas the Post-Office statistics show that the rate paid to the railroads for hauling mail matter averages \$40 per ton per 100 miles, while at the same time, according to Poor's Railroad Manual, the rate received by railroads for hauling miscellaneous freight averages but 82 cents per ton per 100 miles, and the rate received by the railroads for carrying passengers (allowing 200 pounds for each passenger and baggage) is about \$30 per ton per 100 miles; and

Whereas the Post-Office statistics further show that the average rate paid to the railroads for hauling 100 pounds of mail matter, the length of the average haul (estimated to be 323 miles) is \$6.58, while the Census Report of 1890 shows that the average rate paid to the railroads by the express companies for their average haul (the length of which is not shown by statistics), was but 60 cents per 100 pounds; and

Whereas the Department now pays, in addition to the above rates, an extra charge, averaging \$6,250 each year for the use of each special mail car, notwithstanding the fact that these cars cost only from \$2,500 to \$4,000 each to construct, and notwithstanding the fact that the additional cost to the railroads in using these cars over the ordinary apartment cars, which they otherwise would use, consists mainly in hauling a slightly heavier weight.

Resolved, That the National Board of Trade, without desiring to cast any reflection upon the great railroad interests of the country, believe that the above facts demonstrate that the existing law, which fixes the average rate of hauling mail matter at \$40 per ton per hundred miles, requires radical modification, and they respectfully petition Congress to accurately ascertain how many times greater is the actual cost to the railroads of hauling a ton of mail matter than the cost of hauling a ton of miscellaneous freight, and then to revise the rate upon such a basis as will be equitable to both the Government and the railroads, the effect of which would be to largely decrease the deficit and bring us nearer to our desired end of securing improved service and 1-cent letter postage, believing that if the savings thereby effected are not sufficient to give us, in the near future, general 1-cent letter postage, it might warrant the immediate adoption of 1-cent local letter postage.

FREDERICK FRALEY,
President National Board of Trade.

Attest:
W. R. TUCKER, Secretary.

Mr. BUTLER. Mr. President, this resolution, passed by the National Board of Trade in this city last December, shows that this intelligent body of business men have carefully gone into this question; that they have made some investigation on their own account. They petitioned Congress to reduce the railway mail pay, first, as a matter of justice, and, second, in order to make it possible that the business world may get 1-cent letter postage. That is not all. They did not simply pass a resolution without information, but here is the information on which they passed the resolution. They have published it in a pamphlet. They have gathered a great deal of data and given a wide circulation to this pamphlet.

They have not only circulated the pamphlet containing their resolution and the report of their committee giving the reasons for it, but they are sending a copy of it to every business organization in the country for their consideration and action. I ask the Secretary to read the letter which I send to the desk, containing a resolution passed by the Trades League of Philadelphia indorsing the very resolution which has just been read, and asking Congress to make a reduction in railway mail pay and to establish 1-cent letter postage.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from North Carolina that the Secretary read the document referred to? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

TRADES LEAGUE OF PHILADELPHIA,
Philadelphia, February 17, 1899.

DEAR SIR: At the annual meeting of the Trades League of Philadelphia held February 8, the following resolutions were adopted, and copy of same ordered sent to each Member of Congress:

Whereas the preamble and resolutions recently adopted by the National Board of Trade contain statements and statistics which, if true, demonstrate that the Government is paying to the railroads an exorbitant rate for the hauling of mail matter; and

Whereas 1-cent letter postage and the introduction of a cheap parcels post system are directly dependent upon the Government having the mail hauled at a rate which is equitable to both the railroads and the people:

Resolved, That Congress be respectfully petitioned to critically examine the claims embodied in the preamble and resolutions adopted by the National Board of Trade, and if they be found, by reliable statistics, to be correct, then to promptly change the pay for railway mail transportation to an equitable basis, and also promptly to give to the citizens of this country the privilege of 1-cent letter postage, which, according to the estimate of a former Postmaster-General, would yield the Government at this time a profit of 137 per cent; but the greatly increased business which has always followed previous reductions in the rate of letter postage warrants the prediction that in time the net profit to the Government upon 1-cent letter postage will equal or exceed the present net profit upon 2-cent letter postage.

Very respectfully,

N. B. KELLY, Secretary.

Hon. MARION BUTLER, Washington, D. C.

Mr. BUTLER. That resolution was passed by the Trades League of Philadelphia after they had read the resolution passed by the National Board of Trade and the committee report giving the facts upon which it is based. I wish to call the attention of the Senate briefly to some of the facts which were before the National Board of Trade that caused them to adopt the resolution and that caused the Trades League to indorse it. I read from the committee report made to the last annual meeting of the National Board of Trade as follows:

Every student of postal affairs knows that 2-cent letter postage pays an exorbitant profit to the Government, and that 1-cent letter postage would yield a handsome margin; but the annual deficit of millions of dollars in the entire Department is recognized as the main obstacle in the way of reducing letter postage to its proper rate. Consequently the causes of this deficit have been receiving, especially during the past few years, such critical analysis and investigation as may eventually result in materially modifying, if not remodeling, some important features of that Department.

AMOUNT OF POSTAL DEFICIT.

According to the Postmaster-General's report for June, 1897 (that of 1898 not yet having been issued), we find the receipts of the Department for the year to have been only \$166,254.33 more than in the preceding year, or an increase of only one-fifth of 1 per cent, while the expenditures for the year were \$3,450,945.54 over that of the preceding year, or an increase of 3.8 per cent.

The deficit for the year was \$11,411,779.65, as against \$8,127,088.44 in the preceding year, thereby showing an increase in the deficit of \$3,284,691.24.

The report, continuing, says:

As the question of railroad transportation is so vitally linked with our

commercial interests, and as it is necessary to have some rational understanding of this question in order to form practical ideas of what can be accomplished in the line of postal reform, your committee has felt it wise to submit the following information upon the subject.

I ask the Secretary to read the facts presented by the National Board of Trade showing why there should be a reduction of at least 25 per cent in the railway mail pay.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from North Carolina? The Chair hears none, and the Secretary will read.

The Secretary proceeded to read from the report of the committee on postal affairs of the National Board of Trade.

Mr. ALLISON. I hope that document—I suppose it is a document—may be printed without being read. I suppose the Senator from North Carolina merely desires to get it before the country.

Mr. BUTLER. I was very much pleased to see that the Senator from Iowa was listening while I read from that committee report. I desire to have the remainder of it read in open Senate, for I am satisfied that if he will listen to it and hear the facts presented by the National Board of Trade, he will agree that we should now make a reduction, and further that he could make a final report from this commission a year from now—before March 1, 1900—for it contains enough information, it seems to me, to satisfy every Senator that there ought to be a reduction.

The National Board of Trade is a body as friendly to the railroads of this country as any business organization could or should be, and certainly as friendly as any Senator should be; and that body of business men, after a full investigation by a special committee appointed to investigate this matter, here present the data that they were one year in getting, and which caused them to ask for a 25 per cent reduction. The report is prepared with a great deal of care and deserves the attention of every Senator. I must ask the Senate to hear and consider these facts before voting upon this bill. I want the Senate to act now unless some Senator can give some facts or reasons to show that this report is wrong. Mr. President, let the report be read.

The PRESIDING OFFICER. The Secretary will read, consent having been given.

The Secretary resumed the reading of the report, which in full is as follows:

[National Board of Trade, twenty-ninth annual meeting, Washington, D. C., December 13-15, 1898.]

POSTAL RATES AND CLASSIFICATION.

REPORT OF COMMITTEE.

The following report was submitted, read, and adopted:

MR. CHAIRMAN AND GENTLEMEN: This board doubtless requires no assurance from its committee on postal affairs that 1-cent letter postage has not yet been secured, and that second-class matter is still being handled at a loss of about 85 per cent, and letter postage at a profit of 375 per cent.

A failure, however, to accomplish the desired result thus far does not necessarily imply that our former efforts have been wasted. On the contrary, it will probably be found that the agitation of the simple proposition of 1-cent letter postage has played an important part in directing critical attention to the conduct and methods of the Postal Department, and also in stimulating the postal officials to collect such statistics and data as will facilitate an intelligent analysis of its affairs.

Every student of postal affairs knows that 2-cent letter postage pays an exorbitant profit to the Government, and that 1-cent letter postage would yield a handsome margin; but the annual deficit of millions of dollars in the entire Department is recognized as the main obstacle in the way of reducing letter postage to its proper rate. Consequently, the causes of this deficit have been receiving, especially during the past few years, such critical analysis and investigation as may eventually result in materially modifying, if not remodeling, some important features of that Department.

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The deficit for the year was \$11,411,779.65, as against \$8,127,088.44 in the preceding year, thereby showing an increase in the deficit of \$3,284,691.24.

As the question of railroad transportation is so vitally linked with our commercial interests, and as it is necessary to have some rational understanding of this question in order to form practical ideas of what can be accomplished in the line of postal reform, your committee has felt it wise to submit the following information upon the subject:

METHOD OF DETERMINING THE RATE PAID FOR RAILWAY MAIL TRANSPORTATION.

Senate Report No. 991, Calendar No., 1076, contains the arguments of a number of able attorneys representing the large railroad systems of the country; and also the testimony of the Second Assistant Postmaster-General and the General Superintendent of the Railway Mail Service. This report of 163 pages contains interesting information regarding the rates paid by the Government for transportation, and also the strongest arguments that can probably be made for a continuance of the present rates, which arguments were supplemented by individual illustrations.

From this report we ascertain that the method of determining the pay for transportation is as follows:

All roads which carry only 200 pounds of mail matter or less per day are paid the uniform rate of \$42.75 per annum for each mile of road they cover, or at the rate of \$1.17 per ton or 5.85 cents per 100 pounds per mile. From this

minimum weight and maximum rate per 200 pounds the rate decreases as follows:

	Rate per ton per mile.	Rate per 100 pounds per mile.
	Cents.	Cents.
500 pounds.....	70.0	3.50
1,000 pounds.....	48.8	2.34
2,000 pounds.....	35.1	1.75
4,000 pounds.....	21.4	1.07
5,000 pounds.....	18.7	.96

It will be noted that as the weight increases beyond 200 pounds per day the rate per ton decreases until 5,000 pounds a day average is reached, then each additional 2,000 pounds is charged for at the uniform rate of 5.8 cents per ton per mile, or 0.29 of a cent per 100 pounds per mile. These rates have prevailed since 1878, since which time there has been no reduction, except such reduction as has been effected by reason of increased tonnage in conformity with the above schedule.

The weighings take place once in four years, when, for a period of thirty days, advance notice of which is given to the railroads, the mail is weighed, and the average taken as a basis for the next four years, or until such time as a new weighing is made. It should be borne in mind that the above rates apply to all railroads, regardless of varying conditions, and the matter in excess of 5,000 pounds is paid for at the same rate regardless of whether it be but 2,000 pounds or 300,000 pounds. In addition to the above rate a separate charge is made when the cars are used exclusively for mail purposes and are not less than 40 feet in length. Up to that size the car accommodations are furnished without additional cost, but when the cars are built according to the specifications of the Department an additional allowance is made, which averages 5 cents per running mile for cars varying in length from 40 to 60 feet.

COST OF RAILWAY MAIL TRANSPORTATION FOR 1897.

According to the testimony of the General Superintendent of Railway Mail Service, on page 134, the aggregate amount paid in 1897 for inland transportation, exclusive of star routes, was \$30,788,882.02; and \$3,770,138.17 was paid extra for postal cars and \$195,722.50 for special facilities, making a total of \$34,754,742.69.

The total amount of mail matter handled during 1897 was 528,389,000 pounds. A percentage of this was distributed in the same cities in which it was mailed, while other portions were delivered by star routes and steamships; consequently the actual amount carried by the railroads was a little less than the above figures; but if credit is given to the railroads for carrying all the matter handled, it would indicate that the cost for carrying mail matter the average haul for such matter would be 6.58 cents per pound, and this calculation is corroborated by Superintendent White on page 136.

Inasmuch as the average distance of mail matter is estimated by the same superintendent to be 323 miles, it follows that the average rate per 100 miles must be exactly $\frac{1}{323}$ part of 6.58 cents, and this result equals 2 cents per pound per 100 miles, or \$40 per ton per 100 miles, or 40 cents per ton per mile. This is the simple and direct method which would be adopted by most business men for ascertaining the cost of service or merchandise, and we recommend that it be strictly borne in mind in investigating this subject, for on page 10 of the report alluded to, a prominent attorney of the railroads makes the following emphatic assertion: "The Government is not paying the railroad companies for carrying the mail 8 cents a pound for an average of 448 miles, nor 6 cents, nor 4 cents. Statements made to this effect are based upon misinformation. They are simply deductions drawn from incorrect premises, and therefore untrue."

The above statement is followed by a number of selected illustrations to show that the rate paid was not excessive, and other cases cited where it was figured that the mail was being carried at an apparent loss. While the facts and figures in this report are interesting and important so far as they go, we should never forget that they have been compiled by eminent experts and formulated by able attorneys in the employ of the railroad companies and for the express purpose of preventing a reduction in rates. It is well to bear this fact constantly in mind while reading the report, for the attorneys did their work so skillfully and so eloquently that the unwary is in danger of becoming profoundly sympathetic for the railroads, because of their meager pay for so much work, and be impelled even to champion the suggestion of the most courageous of these gentlemen, to advance the pay instead of reducing it.

It must be apparent to every fair-minded man that, in view of the great diversity of conditions under which railroads operate in different sections of this country, it is an easy matter for a shrewd lawyer to cite and dress up individual instances to prove almost any point he is employed to make, just the same, for instance, as the proprietor of a large department store could select certain articles of merchandise from his great variety to demonstrate the making either of a great percentage of profit or loss, according to the bent of his personal interest.

COMPARISON OF RAILWAY MAIL RATES WITH EXPRESS RATES.

Taking \$40, which the Department says is the average price now paid for transporting a ton of mail matter 100 miles, the simple question arises, is this a fair rate?

Your committee feels that this important question, upon which hinges so much of what is accomplishable in the way of greater postal facilities in this country, should be considered with absolute frankness and fairness, without, on the one hand, manifesting a fanatical spirit of hostility to powerful corporations, nor, on the other hand, yielding an un-American subservience to such corporations by placing their individual interests above those of the entire community. It is a question which should be considered fairly by the business community, but as the question is one which covers the entire service and operates over the entire country, it must be considered, if it is to be considered intelligently, in its entirety and not in those local or unusual instances which can be made to prove anything or nothing, according to the personal interest of the one quoting them.

One simple and practical way in which the fairness of rates can be considered is by comparison; but the railroad attorneys endeavor to head off such an investigation by declaring it impossible to make comparisons because the mail service is so different from any other service which the railroads perform. On the other hand, there are many points of resemblance between the express service, as rendered by the railroads, and the mail service, which it will be well to consider. For instance:

First. Both mail and express matter are carried on passenger trains, and in 2,700 routes are carried in the same cars.

Second. Both postal clerks and express messengers are transported free of charge, but in the case of accident to the express agent the railroad is exempt from responsibility.

Third. Both mail and express apartments in the combination cars are heated and lighted without extra charge, but when the increase in express business requires separate or additional cars they are furnished without additional charge to the express companies; but when the mail business increases, and cars are furnished which conform to the Post-Office specifications, an extra rental is charged which exceeds for each year the total cost of a new car. In other words, the cost of the car is from \$2,500 to \$4,000, while the average annual rental is \$6,250. It must be borne in mind, however, that the express car may be filled much more solidly than the mail car, on account of the additional space required by the postal clerks in assorting the mails.

Fourth. Storage space is furnished both express and mail matter at stations, but in the case of mail matter more care is exercised. It is transferred to connecting stations if not more than 80 rods distance, and, in small towns, delivered to and collected from the post-office if it is not more than 80 rods distant from the station.

In these respects, however, there is a difference:

First. Express matter is generally sent out at night, while mail matter is sent out frequently during the day, and can be ordered by the Department to be carried on the fastest trains.

Second. Express matter is handled by its own agents, who frequently are also railroad employees; while mail matter is handled, and records kept of the pouches, mainly by railroad employees, without additional compensation.

Third. "Catches" are required to be used at stations with which to catch mail pouches from trains that do not stop. These catches are estimated to cost \$15 each.

From the above it will be seen that there is much similarity between mail and express, although it must be conceded, in fairness, that the mail service is of a higher class and should command a somewhat higher compensation; but the claim that no useful comparison between the two can be made must be interpreted as an ingenious effort to drive the investigator out of the track which promises to lead him to a solution of the problem, and to drag him into a labyrinth of paradoxical conditions and calculations which will mystify and perplex even an expert.

Your committee believes that a comparison of express and mail charges is not only useful, but is one of the most practical ways of reaching a rational conclusion, and on pages 113 and 114 of the report some of these comparisons are made which show that the Government pays for transporting mail matter from Washington to San Francisco \$11.65 per hundred pounds, while the express rate is \$14.25. The mail compensation rate to Ogden is \$8.61, and the express rate \$10.25. The mail compensation rate to Chicago is \$3.51, and the express rate \$2.25.

From the above figures, as quoted in the report, it would appear that the Government was not paying an excessive rate for mail transportation; on the contrary, the comparison appears to be rather favorable to the Government; but this instance furnishes a graphic illustration of how easy it is for figures to be presented in a manner which disarms criticism and forces wrong conclusion, for, although at least one member of the Senate Committee heartily favored a reduction in rates, he allowed the above presentation of figures to pass unchallenged at the time, and only realized some time after that the figures which were quoted represented the rates charged by the express companies to the public, and that the rates paid by the express companies to the railroads were only about 40 per cent of the figures quoted; consequently, while the Government pays the railroads \$11 per 100 pounds to San Francisco, the express companies pay them about \$5.70. While the Government pays \$8.61 to Ogden, the express companies pay about \$4.10. While the Government pays \$3.51 to Chicago, the express companies pay about 90 cents.

But, even with this revised showing, we again claim that single comparisons, even if fairly presented, are more or less misleading, and the only satisfactory comparison to make is to sum up the totals of the express business and compare them with the totals of the mailing business.

Those who have ever attempted to secure complete statistics from express companies soon realize how difficult a task they have undertaken; but, fortunately, we have the census report of 1890 (and the report was prepared with the assistance of the president of the Adams Express Company), which shows that the express companies of this country sent out in one year 115,000,000 packages, and that the total weight of these packages, not counting 17,000,000 of them as weighing anything, because their weight was not given, was 3,232,000,000 pounds. For these 3,232,000,000 pounds, to say nothing of the 17,000,000 packages not weighed, they paid the railroad companies \$19,327,000, which is less than six-tenths of a cent per pound, while the rate paid in 1897 by the Government for the transportation of mail matter, according to Superintendent White's testimony, on page 136 of the report, was 6.58 cents.

In the above comparison it must be remembered that the average haul of mail matter is 323 miles, and there are no statistics to show the average haul of an express package. On page 156 of the report, Mr. Weir, president of the Adams Express Company, in answer to this question, claims that he did not know, and this point can not be determined at this time; but if, for instance, the distance of the two hauls were the same (and we do not claim that they are, for they may be longer or shorter), it would be seen that the Government pays for the transportation of mail matter about ten times as much as was paid by the express companies for the transportation of express matter.

It may be suspected, however, that the average weight of express packages would be much heavier than the weight of pouches of mail, but it is only necessary to divide the 115,000,000 express packages into 3,232,000,000 pounds and we find the average weight to be 28 pounds. This weight would be still lighter if the additional 17,000,000 packages were included in this calculation.

COMPARISON OF RAILWAY MAIL RATES WITH MISCELLANEOUS FREIGHT RATES.

In this connection it would also be useful to see how the rate paid by the Government to the railroads for the transportation of mail matter compares with the average rate received by the railroads for miscellaneous freight. This comparison, however, is not made with the view of placing the two in the same class; but inasmuch as both are transported in cars, both are drawn by locomotives, both are loaded and unloaded by railroad employees, both are receipted for and the records kept by railroad employees, both are given temporary storage facilities, and both shipped sometimes in small lots, in other cases in full car lots, and in still other instances in full train lots, it must be conceded that a healthy basis exists for a suggestive comparison.

In this case we will not consider individual comparisons, but will take the statistics as quoted in Poor's Railroad Manual for 1897, which, we assume, is a recognized authority upon railroad statistics.

Figures are there given for thirteen years prior to 1896. During the latter year the total weight of freight moved in the United States was 773,888,716 tons; the total mileage was 69,935,536.624, and the total charge was \$770,424,032, making an average charge per ton per mile of a little over four-fifths (0.821) of a cent or 82 cents per ton per 100 miles. These figures are quoted because they appear in a standard work of railroad statistics, and have never been to our knowledge disputed.

Were it not for this fact we would hesitate about quoting rates, which, by comparison, are so startling as to seem incredible, for, as we have previously

shown, the average rate paid by the Government for the transportation of mail matter per ton per mile is 40 cents as against four-fifths of a cent paid for miscellaneous freight, or \$40 per ton per hundred miles for mail as against 82 cents for freight.

It appears to your committee to be a perfectly fair question to ask: "How many times more costly is the transportation of mail matter over miscellaneous freight? Is it double, treble, five times, or ten times as costly? A thorough analysis of all the conditions should enable the question to be answered with some degree of accuracy and equity; but should we have the temerity to ask the question: Is the actual cost of transporting mail matter not five times or ten times, but fifty times as great as the cost of transporting miscellaneous freight, we would feel the necessity of being backed up by authentic statistics to prove that we were not jesting.

COMPARISON OF RAILWAY MAIL RATES WITH PASSENGER RATES.

Jumping for a moment to the opposite extreme of this question and calculating the cost of passenger service, which has always been considered the most expensive, we find, quoted by the same authority, Poor's Railroad Manual, that in 1896 more than 635,000,000 passengers were carried over 13,000,000,000 miles at an average charge of less than 2.04 cents (2.034) per mile, which would make the fare of a passenger for 328 miles (the average haul of mail matter) \$6.67. Calculating the average weight of a passenger at 150 pounds and allowing 50 pounds for baggage would make a total of 200 pounds, which represent less than 34 cents per pound for the distance of 328 miles, or about 44 cents per pound if we take no note of the baggage. But the cost of transporting mail matter for that distance is 64 cents per pound, so that the Government actually pays for mail matter nearly double the amount that is charged for the same weight of a passenger and his baggage, or nearly 50 per cent more than is charged for the passenger with his baggage thrown in free!

Your committee recognizes the fact that in submitting the above astonishing comparisons they subject themselves to the unpleasantness of having their mental balance temporarily questioned, but we consider it our duty to submit these statistics, and if they can be demonstrated to be false we will have to blame, on the one hand, the Postal Department, and, on the other hand, the author of Poor's Railroad Manual.

We feel that there is surely sufficient ground for believing that a fair comparison between mail, passenger, express, and miscellaneous freight rates clearly indicates that the rates now charged for the transportation of mail matter are, and probably have been for years, largely in excess of what they should be. But even assuming that they were reasonable twenty years ago, we find, from a report made by the auditor of the Interstate Commerce Commission, that freight rates were reduced from 1.236 cents per ton per mile in 1882 to 0.806 in 1896, a reduction of nearly 35 per cent, while passenger rates were reduced, per passenger, from 2.417 cents in 1882 to 2.019 in 1896, a reduction of about 17 per cent.

COMPARISON OF RAILWAY MAIL RATES WITH STAR-ROUTE RATES.

There is one more comparison to which we call attention which is rather astonishing in its results:

In 1885, the mileage covered by star routes (that is, those on which the mail is carried by stage coach, wagons, horseback, bicycle, or forms of conveyance other than railroads or steamboats) was 232,222 miles, and the mileage increased to 265,598 miles in 1897, but the transportation cost decreased from \$5,414,804 in 1885 to \$5,363,903.41 in 1897, or a reduction in rate per mile from \$23.31 in 1885 to \$20.19 in 1897. On the other hand, the figures in mail transportation show that while the mileage increased from 121,032 miles in 1885 to 178,475 in 1897, the transportation charges, exclusive of the postal-car service, also increased from \$14,758,496 in 1885 to \$20,788,882.02 in 1897, or an increase from \$121.95 per mile in 1885 to \$177.48 in 1897.

It should be borne in mind that the star routes are not governed by the law which definitely fixes their rate, as is the case with the railroads, but are open to competition, so that the Government gets the benefit of competitive bids. This may be the reason why the star-route rates have declined in twelve years from \$23.31 to \$20.19 per mile, notwithstanding the enormous increase of mail matter, which has probably tripled during that period, while during the same time the railroad cost increased from \$121.95 to \$177.48 per mile.

ONLY AN EQUITABLE ADJUSTMENT DESIRED.

We will go no farther into this subject at this time. We believe sufficient tangible evidence has been submitted to show that the railroad transportation rates require revision. What the very best form of revision would be your committee is not prepared to say. They believe that an agitation of the question has begun, and if influential mercantile bodies will give hearty support to the movement there is no doubt that rates will eventually be re-adjusted in such a manner that our deficit will be wiped out, our postal facilities increased, a cheap parcels post system devised, 1-cent letter postage secured; and, at the same time, the railroad interests, for whose enterprise and civilizing power we cherish only the highest regard, will be treated with exactly the same fairness and upon the same business basis as would be done by a private individual who controlled the transportation of over 500,000,000 pounds of matter annually.

This is a work in which there need be no friction between the railroad companies and the commercial interests so long as both are actuated by a desire to secure only that which is fair; and it is in that spirit that we recommend the special postal committee appointed on this occasion to frame such resolutions as will clearly define this position.

Respectfully submitted.

FINLEY ACKER, Chairman.
SILAS M. GIDDINGS,
BLANCHARD RANDALL,
JOHN FIELD,
A. T. ANDERSON.

DECEMBER 20, 1897.

Mr. BUTLER. Mr. President, if that report and the special report made by the Second Assistant Postmaster-General on the postal systems of England, France, and Germany, and the facts which I presented a year ago and have presented again to-day do not convince the Senate that we are wasting from \$6,000,000 to \$12,000,000 a year, and that there ought to be at least a 20 per cent reduction in railway mail pay, then what will? We certainly have enough information to justify us in making such a reduction now, regardless of what report the postal commission may make.

But the amendment that I have offered does not ask for that much reduction; it simply proposes not to increase the appropriation above what it was last year while we are further investigating the matter. Is not that reasonable? Can the postal commis-

sion want more than another year in which to satisfy itself as to the correctness of these facts?

Mr. President, I offered an amendment to the bill, which was read early in my remarks, providing for a reduction of the appropriation for railway mail pay from \$33,275,000 to \$30,500,000, a scaling down and readjustment of the pay of 10 per cent. That is the amendment which is pending. Now, I ask that that amendment be temporarily laid aside in order that I may try once more to get an agreement to the effect that the postal commission will make a final report before we are called upon to vote on another appropriation bill. I ask unanimous consent that on page 20, line 18, of the bill, it be amended by striking out the words "during the Fifty-sixth Congress" and inserting in lieu thereof "until March 1, 1900."

The VICE-PRESIDENT. Does the Senator desire to have that question put now?

Mr. BUTLER. Yes, sir.

The VICE-PRESIDENT. Unanimous consent is asked by the Senator from North Carolina to amend the bill by striking out in line 18, page 20, the words "during the Fifty-sixth Congress" and inserting "until March 1, 1900." Is there objection?

Mr. PLATT of Connecticut. I object.

Mr. BUTLER. Then I ask for a vote on the adoption of the amendment. I do not care to discuss it if we can come to a vote. I hope a vote will be taken directly on the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from North Carolina. [Putting the question.] It appears to be lost.

Mr. BUTLER and Mr. PETTIGREW called for the yeas and nays, and they were ordered.

Mr. BATE. Let the amendment be read.

The SECRETARY. On page 20, line 18—

The VICE-PRESIDENT. Which amendment does the Senator propose shall be voted upon?

Mr. BUTLER. The amendment requiring the commission to make a final report on or before March 1, 1900, is the amendment that is now before the Senate. I temporarily withdraw the other amendment in order that we may consider this amendment at the present time.

The VICE-PRESIDENT. The amendment before the Senate is to strike out the words "during the Fifty-sixth Congress" and insert the words "until March 1, 1900," in line 18, page 20. The yeas and nays have been ordered upon agreeing to the amendment, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BACON (when his name was called). I am paired with the junior Senator from Rhode Island [Mr. WETMORE].

Mr. HANNA (when his name was called). I am paired with the Senator from Utah [Mr. RAWLINS].

Mr. HANSBROUGH (when his name was called). I am paired with the Senator from Virginia [Mr. DANIEL], and withhold my vote.

Mr. LODGE (when his name was called). I am paired with the junior Senator from Georgia [Mr. CLAY].

Mr. PRITCHARD (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. McLAURIN], and therefore withhold my vote.

Mr. PROCTOR (when his name was called). I am paired with the Senator from Florida [Mr. MALLORY]. Not seeing him present, I withhold my vote.

Mr. SHOUP (when his name was called). I am paired with the senior Senator from California [Mr. WHITE], and therefore withhold my vote.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Nebraska [Mr. THURSTON].

The roll call was concluded.

Mr. CULLOM (after having voted in the negative). I have taken the liberty of voting, although I have a general pair with the senior Senator from Delaware [Mr. GRAY]. I am satisfied that he would vote as I have voted, and therefore I will let my vote stand.

Mr. PROCTOR. I will transfer my pair with the Senator from Florida [Mr. MALLORY] to the Senator from Nebraska [Mr. THURSTON], and that relieves the Senator from South Carolina [Mr. TILLMAN] and myself. I vote "nay."

Mr. TILLMAN. I vote "yea."

Mr. GALLINGER (after having voted in the negative). I have a general pair with the senior Senator from Texas [Mr. MILLS], who does not seem to be in the Chamber. I will transfer my pair to the Senator from Rhode Island [Mr. ALDRICH] and let my vote stand.

Mr. PASCO. I am paired with the Senator from Washington [Mr. WILSON]. I suggest to the Senator from North Dakota [Mr. HANSBROUGH] that he and I exchange our pairs so as to enable us both to vote. I vote "yea."

Mr. HANSBROUGH. I vote "nay."

Mr. GALLINGER (after having voted in the negative). The Senator from Florida [Mr. PASCO] informs me that the Senator from Rhode Island [Mr. ALDRICH] is paired with the Senator from Missouri [Mr. VEST], so I will withdraw my vote and announce my pair with the senior Senator from Texas [Mr. MILLS].

Mr. LODGE. I suggest to the Senator from Georgia [Mr. BACON] that we transfer our pairs, so that the Senator's colleague [Mr. CLAY] will stand paired with the Senator from Rhode Island [Mr. WETMORE]. That will enable us both to vote. I vote "nay."

Mr. BACON. I vote "yea."

Mr. HANNA. I vote "nay."

Mr. PRITCHARD. For the purpose of making a quorum I have decided to vote as I think my pair would vote if he were here. I vote "yea."

Mr. GALLINGER. I will state that my pair with the senior Senator from Texas [Mr. MILLS] is of such a nature that I feel justified in voting, and I will vote "nay."

Mr. MALLORY. I transfer my pair with the Senator from Nebraska [Mr. THURSTON] to the Senator from Texas [Mr. MILLS], and vote "yea."

Mr. SHOUP. I vote "yea."

The result was announced—yeas 19, nays 27, as follows:

YEAS—19.

Bacon,	Cockrell,	Morgan,	Sullivan,
Bate,	Gorman,	Pasco,	Teller,
Berry,	Harris,	Pettigrew,	Tillman,
Butler,	Heitfeld,	Pritchard,	Turley,
Chilton,	Mallory,	Shoup,	

NAYS—27.

Allison,	Frye,	McBride,	Ross,
Carter,	Gallinger,	Mason,	Simon,
Chandler,	Hanna,	Murphy,	Spooler,
Cullom,	Hansbrough,	Pettus,	Stewart,
Deboe,	Hawley,	Platt, Conn.	Warren,
Elkins,	Hoar,	Proctor,	Wolcott,
Fowler,	Lodge,	Quay,	

NOT VOTING—44.

Aldrich,	Faulkner,	McMillan,	Roach,
Allen,	Gear,	Mantle,	Sewell,
Baker,	Gray,	Martin,	Smith,
Barrows,	Hale,	Mills,	Thurston,
Caffery,	Jones, Ark.	Mitchell,	Turner,
Cannon,	Jones, Nev.	Money,	Turpie,
Clark,	Kenney,	Nelson,	Vest,
Clay,	Kyle,	Penrose,	Wellington,
Davis,	Lindsay,	Perkins,	Wetmore,
Daniel,	McEnery,	Platt, N. Y.	White,
Fairbanks,	McLaurin,	Rawlins,	Wilson.

So Mr. BUTLER's amendment was rejected.

Mr. BUTLER. Now, Mr. President, since this amendment has failed, I feel it to be my duty to discuss further at this time the other amendment providing for a reduction in railway mail pay at this time. As I have already said, I will have some important additional facts to put before the Senate to-morrow which I have not with me now.

Mr. President, before concluding this afternoon I want to call attention to the difference in what we pay for star-route and railroad mail service. I say to you here and now that if the men who carry the star-route mail were paid as well as the men who carry the railway mail we would vote more money for star-route service each year than we now vote or would vote for railroad service. We paid last year \$5,310,591.47 for 266,135 miles of star-route service. Have we got that much railroad length? No. Only 177,777 miles, about two-thirds as much; and yet we pay six times as much—we paid last year \$30,786,375.89 for railway mail transportation alone, not including rent paid for postal cars. The amount paid for star-route service covered the rent of buggies, wagons, and everything.

We pay only \$5,000,000 for the star-route service, and the men who carry it do not get all of it. The middleman comes in—the speculator who bids off the contract. Probably not more than \$4,000,000 is paid to the men who carry the mail over that distance. If those men were organized; if the star-route business of the country were in the hands of a syndicate that was organized, and if they were as wealthy as the railroad companies and could keep their hired lobby around here; if they could subsidize newspapers; if they could employ high-priced attorneys, then we would have a syndicate carrying the star-route service that would be getting twenty or twenty-five or thirty million dollars a year, and we would have documents here full of testimony to show how expensive it is to take the mail across the mountains 20 miles, how expensive it is to take the mail from a county seat and go around some 40 miles over sandy roads, dragging the mail with your horse and buggy, or your mules and wagon.

We would have eloquent speeches made here by Senators to show the labor and dead expense of distributing the mails by star routes as compared with the easy, sumptuous way of carrying it on railroads, when it costs nothing to the railroads, practically, to carry it. We know that the adding of one car to a train of

cars is a very little expense. Practically it is the wear and tear of the car and a few bushels more of coal. That is all it costs to add another car on a train. Yet we are paying to-day for those cars more than they are worth in rent; we are paying twice as much, three times as much, ten times as much, as would be a fair rent. So we should not consider the car. It is simply the weight. The weight is all that is to be considered, and we have shown that the railroads are paid forty-four times as much for the weight of mail as for freight, ten times as much as for express, and twice as much as for the weight of passengers.

Mr. President, I have prepared two tables giving a comparison of the star-route service and the railway mail service from 1885 down to and including 1898 which presents a remarkable condition of affairs. They show that each year we have been extending the star-route service in length, in efficiency, and in the amount of mail carried, while each year the cost of the service per mile has been reduced, while the railroad service has each year been increasing in cost per mile at an enormous rate.

Let us first look at the star-route service:

Star-route service.

Year.	Length of route.	Total pay for transportation.	Average per mile.
	Miles.		
1885	232,222	\$5,414,804.00	\$23.31
1886	233,915	5,352,181.00	22.88
1887	237,845	5,376,861.35	22.60
1888	243,722	5,520,420.85	22.65
1889	249,850	5,680,572.36	22.73
1890	251,587	5,846,855.65	23.23
1891	257,063	5,753,579.07	22.32
1892	262,575	5,896,221.38	22.22
1897	265,568	5,963,903.41	20.19
1898	266,135	5,310,591.47	19.95

Notice that in 1885 there were 232,222 miles of star routes; in 1898 the routes had increased to 266,135 miles—an increase of 33,913 miles. Now, how much did the cost of the star-route service increase? None; there was a decrease in cost to the Government.

Notice that in 1885 the total pay for star-route mail service was \$5,414,804, while in 1898 the cost was only \$5,310,591.47, which is a saving of \$104,212.53.

That is, we had 33,913 more miles of star-route service in 1898, yet it cost the Government \$104,212.53 less.

To state it another way, in 1885 the cost for each mile of star route was \$23.31; while in 1897 the cost for each mile of route was \$19.95—a saving of \$3.36 a mile.

As the Postmaster-General says, we have gotten a "more extensive and more efficient service" at "a reduction of cost."

This is a fine showing for efficiency and economy. But when we turn to the railroad mail service, how is it?

We find that not only has the total cost greatly increased, but that the pay per mile has not decreased, but has greatly increased. If there had been the same economy in the railway mail pay per mile as there has been in the star-route service, we would to-day be paying less than half of what we are paying.

Look at this table:

Table showing the average rate of cost per mile per annum for railroad transportation based on the aggregate length of routes.

Year.	Length of routes.	Total pay for transportation.	Average rate per mile.
	Miles.		
1885	121,032	\$14,758,495.00	\$121.95
1886	123,933	15,520,191.00	125.23
1887	130,948	16,174,001.22	123.52
1888	143,713	17,528,500.80	121.97
1889	150,381	19,441,005.78	129.27
1890	154,779	20,809,231.55	134.83
1891	159,518	22,308,868.66	140.41
1892	162,576	24,196,329.71	148.83
1893	166,952	25,716,005.85	154.04
1894	169,768	27,153,001.16	159.94
1895	171,212	27,961,931.78	163.31
1896	172,794	28,941,880.47	167.49
1897	173,475	30,171,542.69	173.90
1898	174,777	30,786,375.89	176.00

From this table it will be seen that the length of railroad mail routes in 1885 was 121,032 miles, and in 1898 the length was 174,777 miles, an increase of 53,745 miles. But has the total pay decreased as in the case of the increased star-route service? No; the total pay has more than doubled. In 1885 we paid \$14,758,495 for railway mail service; in 1898 we paid \$30,786,375.89. Someone will say that the weight of the mails carried by the railroads has increased. In reply I will ask if the weight of mails carried by star routes has not also increased? Again, someone will say that

the number of miles of railway mail routes has increased more than the miles of star routes. That is true to a small extent, but the true way to compare them is to see what we pay per mile for each service.

In 1885 we paid \$121.95 for each mile of railway mail route. The Postmaster-General at that time said that the price was too high. How much per mile did we pay last year, 1898? We paid \$170 a mile. This is an increase of \$54.05 for each mile of railway mail route. Now, remember that during the same time the cost for star-route service decreased \$3.36 per mile.

Now, let us see what the Postmaster-General said about the amount and increase of pay to railways as far back as 1885. I have in my hand one of the annual reports of Postmaster-General Vilas. On page 240 he calls attention to how fast the pay for the railways is increasing and the necessity for changing the law. The following is a part of what he says:

The subject of compensation of railroads for the transportation of the mails has for many years attracted the attention of Congress, as is evidenced by the debates in that body and the commissions which have from time to time been appointed for the purpose of investigating and reporting upon that subject. This is the most interesting and important branch of the postal service. Its rapid growth, vast extent, and superior character have elicited the just commendation of all who are familiar with it. Its increasing aggregate cost, however, has been the subject of frequent comment and some criticism.

The method of basing the compensation upon the weight of the mails carried has met with serious objection as furnishing an unsafe and unreliable criterion of the value of the service rendered, and plans have from time to time been suggested which, it was thought by those who proposed them, would dispense with this method of adjusting the compensation of railroad transportation, and which, while giving to the railroads a fair and reasonable remuneration for the important service which they render to the country in the transportation of the mails, would considerably reduce the cost of such service to the Government. None of these plans have as yet received the approbation of Congress.

I will read the closing sentence on page 250, where the Postmaster-General says:

What is eminently to be desired is that some method of compensation be found and adopted which, while it will not reduce the character and efficiency of the service, will reduce the ratio of increase in cost.

In his next report for 1886 and 1887 he follows the same line of recommendation to Congress. On page 42 of his report of 1887 he says:

The star and steamboat service is much more within the discretionary government of the Department than the railroad carriage, and the advantage of this will be apparent on examining the gains accomplished in the reduction of cost, while at the same time more extensive and more efficient service has been secured.

Thus we see that we have each year gotten "more extensive and more efficient service" from the steamboat and star-route service at a reduced cost, while on the other hand the cost of railroad service has increased enormously and out of all reason.

Mr. President, in the face of these facts and in the face of the recommendations of the Post-Office Department, will some one explain why the cost for star routes has decreased \$3.36 for each mile while the pay to railroads has increased \$54.05 for every mile of mail route? There is no explanation except the great and poisonous influence of the railroad monopolies in our politics, from the township primary up to the United States Senate. If there was a rich and powerful corporation with a monopoly of carrying the mail over the star routes, then we would have star-route kings contributing money to corrupt our politics and sending their powerful lobbies to Congress. And if this were the case, we would be paying to-day \$30,000,000 for the star-route service instead of \$5,000,000, which it now costs.

Why should it cost more to carry the mails on 174,777 miles of railroad mail routes than on 266,135 miles of star route? Every train will run, whether it carries any mail or not. What the Government pays for each pound of mail is that much extra profit for them. The mail adds very little to the cost of running each train. The increased weight is scarcely felt.

On the other hand, it is much more expensive to distribute the mail from the railroads over the country to every neighborhood in the United States. A man must take a stagecoach or a buggy or wagon over the sandy or muddy and sticky roads, over plains and over mountains, for the express purpose of carrying the mails. Therefore the adding of every pound of mail is a burden that is felt by the mail carrier.

Mr. President, it would seem that the expensive part of our mail system would be carrying the mail over the star routes covering 266,135 miles through the country districts. These star routes aggregate 91,358 miles longer than the railway mail routes. Yet to-day we are paying more than six times as much to railroads as we pay for all the star routes.

The responsibility for this is upon Congress. The fault is not with the Postmaster-General. As far back as 1887, eleven years ago, the Postmaster-General called attention sharply to the fact that under the discretion he has under the law he has been able greatly to reduce the cost for carrying the star-route mail and steamboat mail and at the same time secure increased efficiency, while he has not been able to decrease the pay to the railroads on account of the strict letter of the law which he could not violate,

as he states. I will proceed to read from his report, where he says:

The heavy additions to the annual expenditure are due to the item of railroad transportation, the cost of which is fixed by law and little governable by the Department.

That is not all. Following right on down the Postmaster-General's reports, we have in 1890 Postmaster-General Wanamaker, who makes a direct and specific recommendation that Congress ought to make a reduction of 20 per cent. In 1890 he said:

In the past twelve years no reduction of rates has taken place, though the freight rates upon all railroads have been steadily lowered. During this period the weight of the mails has largely increased. It is quite reasonable to say that the reduction in freight rates generally between 1878 and 1890 is not less than 20 per cent, and in many instances it is much more. The largest expenditure of the Department is for transportation. The estimates just sent to the Treasury for the next fiscal year cover \$22,610,128.31 for railroad transportation alone.

Here are the statements from the heads of the Department showing that the rate ought to be reduced. The Postmaster-General calls attention sharply to the fact that the decrease in other rates has been 20 per cent, and in many cases more than 20 per cent, while the charge to the Government by the railroads for the past twenty years has stood the same. That was in 1890.

If Postmaster-General Wanamaker was right in 1890, the reduction in freight rates has been more than 20 per cent up to now. It is reasonable to suppose that the reduction will be between 30 and 40 per cent in 1898. I have offered an amendment, but not one calling for a reduction of 40 per cent, although that is the general estimate of the reduction in freight rates and prices from 1878 until the present time. I believe myself that if a fair reduction were made and the Government had the benefit of the same general decline in prices and reduction that the public has, the rate would be reduced 40 per cent, which would make a saving of \$12,000,000.

That is not all. In addition to paying the railroads over 6 cents a pound for each pound of mail, which amounts to \$33,275,000 for the next year according to the bill now before us, we are paying them over \$4,000,000 a year rent for the cars in which the mail is carried. Do we pay the man who carries the mail over the star routes rent for his buggy, coach, or wagon? No. He is not rich and has no lobby here to influence Congress.

How much rent do we pay for the postal cars? We pay each year in rent more than the cars are worth. We pay \$5,000 a year rent for a postal car that can be bought for \$4,000. A postal car lasts on an average about 20 years. So while a postal car is wearing out we will pay \$100,000 in rent for it, while we could buy and own the car for only \$4,000.

This bill appropriates \$4,204,500 for the rent of postal cars for the next year, while we could buy and own every postal car in use, when new, for a less amount. In twenty years, before these cars wear out, we will have, at the present rate, paid over \$100,000,000 in rent alone. I have seen many steals go through Congress since I have been a member of this body, but this is the boldest and most barefaced steal I have ever known. This steal has not just begun; it has been going on for a quarter of a century, and it grows bigger each year.

Mr. President, I will now yield the floor, and continue my remarks on to-morrow.

Tuesday, February 21, 1899.

Mr. BUTLER. Mr. President, I desire to present to the Senate this morning additional facts which prove conclusively, if it has not already been proven, that we are to-day paying at least twice as much to the railroads for carrying the mail as they receive for any other similar service. I wish the attention of every Senator to these facts. The average rate for a ton of freight for a hundred miles is 82 cents; the average rate for a ton of passengers for a hundred miles is \$20, and the average rate for a ton of mail matter for the same distance is \$40.

Those are facts that will not be questioned, I take it, but if they are I have the proof here to substantiate them, which proof is gathered from Poor's Railway Manual, from the census reports, from the reports of the Post-Office Department, from Railway Economics, which is published by the Department of Agriculture by Mr. Newcomb, who is Chief of the Division of Railway Statistics, and from other sources. They prove that we are paying forty-four times as much for a ton of mail as is paid for a ton of freight; that we are paying ten times as much for a ton of mail as is paid for a ton of express, and that we are paying twice as much for a ton of mail as for a ton of passengers.

Now, Mr. President, if we are paying twice as much for a ton of mail matter as is paid for a ton of passengers, why should not the rate of pay for mail matter be reduced at least one-half?

I repeat that I have proven, and it can not be contradicted, for I have the facts from the most reliable and authoritative sources, that we are paying twice as much for the same weight of mail matter as a passenger pays to have himself hauled in a palace car. If that is true—and I challenge anyone who is opposed to

the reduction of railway mail pay to produce a particle of evidence that will amount to proof to contradict it—then why should we not reduce the pay for mail one-half?

I stated to the Senate yesterday that the railway people have always claimed that they ought to be paid the same rate for mail per ton as is paid per ton for the carriage of a passenger. Here is the report of an investigation made by the Post-Office Department in 1883, when Mr. Gresham was Postmaster-General, and this investigation starts out by laying down the fundamental principle that the highest rate that should ever be paid for railway mail should be that which is paid for passenger service. I stated that that investigation showed that the reduction made in 1878 was not sufficient. The Senator from Iowa questioned my statement, and said he was present at the time of the investigation, and he thought I was mistaken. I took the trouble last night to look over that report again. I hold it in my hand. It proves my statement, and the Senator from Iowa, with all due respect for him, is wrong.

I shall read two or three extracts from this report before I conclude. On page 7 of the report the commission calls attention to the fact that the greatest single item of cost connected with the postal system is the pay for railway-mail transportation. The commission also calls attention to the fact that in that year (1883) the increase in cost for railway mail pay alone was greater than the whole cost of the postal system in 1853, when all the mails had to be carried by stagecoach. The commission, commenting on these facts, says:

Each decade has doubled the railway service from its establishment, and if the present rate of increase should be maintained, and the present methods of pay continued, the year 1900 would show a service by rail of at least 200,000 miles, at an annual cost of not far from \$25,000,000.

When this report was made in 1883, the commission which made it warned the country and Congress that unless we changed the rates of railway mail pay, that in the year 1900 we should be paying \$25,000,000 a year for railway mail service; but here we are to-day appropriating in this bill nearly \$34,000,000 before we have reached 1900. This commission stated that railway mail pay would reach the enormous amount of \$25,000,000 for 1900 if we did not reduce the rate and reform our method of pay. They estimated that the length of railway mail mileage would be 200,000 miles, and that we would have to pay \$25,000,000 for that length of mileage, but it has not yet reached 175,000 miles, yet we are paying over \$33,000,000 for it.

At the time this report was made the time for the mail between New York and Washington was only six hours. How much have we shortened it in that time? They predicted that it would be, no doubt, shortened a great deal before 1900. It has not been. That was in 1883, sixteen years ago, and yet during that time we have much more than doubled the amount we have paid for railway mail service and gone \$8,000,000 further than the high-water mark, which the commission predicted if we did not reduce and readjust the pay.

Now, let us see what that commission said about a comparison of pay for passenger and mail service. Reading from page 11 of the report, I find this laid down as the fundamental proposition of the commission:

Recognizing that the postal service is one of the most important factors in the stimulation of trade, the letters and papers conveyed being filled with matters concerning lands, merchandise, and business of every kind, the interchange of ideas being followed by an interchange of persons and commodities, on which the traffic of the railroads depends, the committee from the outset have been desirous of avoiding the recommendation of any scheme which in its practical workings would throw upon the railroads the burden of rendering a service so closely interlinked with the life and business of our time at unremunerative rates. On the other hand, they have desired to recommend a schedule of rates which would not result in the imposition of exorbitant charges upon the Government.

It is manifest that any scheme must be general; that is, be applicable to all railroads alike. It is further evident that to arrive at such a scheme no conclusions could be drawn from data furnished by those roads which are exceptionally situated.

To deal with each road separately would lead to confusion and abuse. The hope of any result from the labors of the committee lies, therefore, in the adoption of a system which, taking into consideration the space required for the mails, the frequency and speed with which they are conveyed, would be uniformly applicable to all railroads carrying the United States mails.

In arriving at such a general scheme the investigations of the committee have not been directed so much to the cost of the service as to the elucidation of this fundamental proposition, viz:

That a rate of pay which will in general yield the railroad companies carrying the mails a return per car per mile run not differing materially in amount from the returns now realized by these same corporations from the running of their passenger trains can not be other than just and reasonable.

This proposition would seem to be fair at the same time that it harmonizes with the fundamental principles of political economy, which would require that the work of carrying the mails be performed at rates not too low to be remunerative, both for the sake of the public service and to remove all just grounds of complaint.

It will be found by a study of the correspondence herewith submitted that those speaking for the railroads have put themselves on the record, not only as favoring a system of gauging the pay which shall make space and speed the chief elements, but also as virtually indorsing in advance this very principle on which the committee have proceeded in obtaining the results here set forth.

A careful examination of the conferences heretofore held with the various representatives of the railroads by special commissioners, and of the testimony given before Congressional committees, as well as the communications

received by the present committee, will disclose the most complete admission, on the part of the railroads themselves, of the justice of this fundamental proposition.

For example, one of the earliest received and most elaborate replies to the letter sent out by the committee cites at length the decision of the Supreme Court in the case of the Union Pacific Railroad Company v. The United States, in which the Supreme Court adopts the language of the court below, which is, as nearly as language can make it, the identical assumption of the present committee. (14 Otto, 667.)

Viewed as a question of law, it is impossible to say that either of these rules of computation is the true one. The question is, What is a fair and reasonable rate of compensation? And in reference to that we adopt the opinion of the Court of Claims as thus expressed:

"Construing the statute as we do, we think the court would not be limited, in an action where it was compelled to estimate damages, to the rates charged by the company to private parties for a single kind of similar service. We think that a court or jury would be authorized to look over the entire field of service in determining what was a fair and reasonable charge for a kind which was similar to but not identical with any other. For instance, if it should appear that the receipts of passenger cars were less than the receipts of postal cars, and the cost and running expenses no greater, we are inclined to think that that fact might be a proper element in the problem of estimating the amount of 'fair and reasonable rates of compensation.'"

That is to say, if the receipts from postal cars were equal to the receipts from passenger cars, and the cost and running expenses no greater, the amount of compensation must be, on the face of it, both just and reasonable. Another says:

It will be conceded that the United States Government should contribute at least as much toward the revenue necessary for the support of the railroads, in proportion to the amount and character of the accommodations and facilities it demands, as other customers of the railroad companies. Other citations might be made in support of the general principle announced by the committee, but as the correspondence is accessible it is needless to burden the text of the report with them.

Thus we see that every commission appointed to investigate this question has taken the position and laid down the proposition that we should never pay more for mail transportation than is paid for passenger transportation. We also see that the railroads in the past have never contended for a higher rate. We also see from Mr. Shallenberger's report, which I read from on yesterday, that pay for passenger service is considered in other countries as the high-water mark for pay for mail transportation. Then, why should we hesitate now to reduce the railway mail pay at least one-half?

I wish also to call attention to another paragraph from the report of the commission of 1883. This is taken from what they say under the head "Law of competition," on page 15:

Since the railway postal service, by the very nature of it, is debarr'd from those advantageous rates of which it might avail itself if competition were possible, it would seem to be but fair and natural that the laws which obtain in competition should also hold here, at least in part.

One well-known authority on transportation, writing of governmental regulation of railroad tariffs, says, in reply to the question whether a railroad shall carry its freight and passengers for the same that other lines charge or not carry them at all:

"All that has to be known by the railroad manager to answer this question is the minimum cost at which the service can be performed. If the obtainable rate exceeds cost, no matter how little, it becomes his interest to accept the terms offered."

The application of this well-known principle in the operation of railroads, so far as the mails are concerned, would be not to argue, in the absence of competition, that the mails should be carried, as if under competition, at the smallest margin above cost, or at the minimum of profit, but rather to argue that the scheme of the committee should not be open to fatal objection simply because it did not reach the maximum of profit on comparison with other items of passenger traffic; in other words, as the Government could not in justice demand the railroads to carry the mails at rates so low as to be practically unremunerative, so neither could the railroads fairly demand the highest possible rate of compensation.

So we see that the commission takes the further position that the railroads can not in justice demand of the Government the highest rate of compensation. But what are the facts? They are to-day getting a rate twice as high from the Government as they get or ask from anyone else.

Mr. President, there is a great deal of interesting correspondence published in the appendix of this report. I call attention to the following extracts from a letter from the postmaster-general of England to the Postmaster-General of our Government, under date of April 27, 1883:

By act of Parliament, first and second Victoria, cap. 68, the postmaster-general has power to call upon any railway company to carry mails, together with guards in charge, and any other officers of the post-office, by trains run at such hours as he may direct, and at a speed not exceeding the speed of the company's first-class passenger trains, the stopping places and the duration of stoppages being also under his control. He may also call upon the company to provide a separate carriage or separate carriages in the train, fitted up for sorting purposes, and to convey therein all such mails and officers as he may direct. The act provides that for the services rendered the company shall be entitled to such reasonable remuneration as may be agreed upon between the postmaster-general and themselves, or as (failing agreement) may be determined by arbitration in the manner prescribed by the act.

For services of this class, where the hours of departure and arrival, places of stoppage, and speed are placed under the control of the postmaster-general, high rates of payment are almost inevitable, even although the company may, so long as they observe the requirements of the post-office, carry by the train a considerable number of passengers. Rates of 1s., 1s. 8d., 2s., 4s. a mile are found on record, dependent on the time of day when the trains were run, the degree in which the trains were available for ordinary traffic, and also on the arbitrator's or umpire's view of what constituted a "reasonable" remuneration.

So we see that the English post-office has power to call for special mail trains to be run on schedules fixed by the department. For these a special "high rate" is paid, amounting to 1s. per mile.

We pay more than that in this country for one mail car on an ordinary train.

The letter continues:

For services of a different class, viz, those performed by the trains which a company may run for its own purposes, and over which the postmaster general has no control, much more moderate payments are made, generally by mutual agreement. Thus, on several lines of railway, mail bags are conveyed by the ordinary trains at the rate charged to the public for parcels of similar weight; on other lines, the fare of a second-class passenger (though this is reckoned by the post-office to be rather high) is charged for the conveyance of a mail bag; but more commonly a fixed sum per annum is agreed upon for the conveyance of a bag, or of several bags, as the case may be, by the same train.

So we see that on ordinary trains the English Government pays "the rates charged to the public for parcels of similar weight." If we paid the same rate for mail service in this country we would save from \$12,000,000 to \$15,000,000 a year.

I quote the following extracts from a letter written June 15, 1883, by Gardiner G. Hubbard, who was chairman of the postal commission of 1876, to Hon. R. A. Elmer, Second Assistant Postmaster-General:

The commission of 1876 obtained from the railroads various statements, as will appear by reference to their report, which give a very correct estimate of the cost of the service on the different railroads at that time, as well as the receipts per car foot. If the railroads would make similar returns of their expenses and receipts for the past year, they would give essentially different results. The business of the country, as then at its lowest ebb, and the railroads were paying a very meager interest upon their total cost. Now the cost per linear foot should be much less than in 1876, and the receipts much greater. My commission intended to base the compensation of the railroads upon the actual cost, plus a reasonable profit. As the carrying of the mail is for the benefit of the public, and a wholesale business, giving very little care, trouble, or responsibility to the railroads, the compensation should be much less than that paid by the general public.

This statement by Mr. Hubbard deserves careful attention. Note that the present rate of pay was fixed by act of 1878, based on the report of Mr. Hubbard's commission. In 1883, sixteen years ago, he says that the cost per linear foot was "much less" than in 1876. Then, how much more should it be reduced now? Notice also that he says that railroad earnings were at their lowest ebb in 1876, and that his commission based the compensation upon actual cost, plus a reasonable profit. Notice also the last sentence quoted, that the Government should get wholesale rates, and for other reasons mentioned should pay much less than the rate paid by the general public.

The closing paragraphs of Mr. Hubbard's letter are interesting and suggestive:

You will probably find it very difficult to ascertain either the receipts or the expenses per car foot on the main trunk lines, as they would probably be unwilling to give the required data, and the statistics given in their annual reports will only give a rough approximation. The Government roads, which are obliged to make returns, do not furnish any statements of value to estimate the cost of the great eastern roads.

I believe Congress has full power over this whole subject; that it can require the roads to make any returns needed to determine the amount that should be paid for the transportation of the mail; that it has power to fix the times at which the mails should start and the speed at which they shall be carried; that this power is necessary to carry out the duty imposed by the provision authorizing Congress to establish post-offices and post routes, subject, however, to the amendment of the Constitution which provides that private property shall not be taken for public uses without adequate compensation. It will be very difficult, if not impossible, to induce Congress to pass such laws, but if this point is kept steadily in view by the Department I think it will ultimately succeed.

I am writing at a great distance from home and without any material at hand, and you will not, therefore, hold me responsible for great accuracy in my figures.

I shall be pleased to hear from you in reply, and if I can be of any service in any matters connected with the duties of your commission it will give me pleasure to aid you.

Why did Mr. Gardner say that it would be difficult to induce Congress to reduce railway mail pay, and in spite of the facts and the recommendation of the Post-Office Department? It seems that even sixteen years ago the railroad lobby was very powerful in Congress.

Mr. President, if railway mail pay should have been reduced sixteen years ago how much more should it be reduced now? Yet in the face of the facts presented then and in the face of the additional and still stronger facts presented now, "it will be very difficult" (to use Mr. Hubbard's language), "if not impossible, to induce Congress to pass such laws." It seems that there is some agency more powerful than truth and facts which can and do "induce" Congress each year not to pass such laws.

Mr. President, I have already proven that we pay twice as much for mail as for passenger service per ton per mile, and that therefore we ought to reduce the rate one-half, but I am now going to prove that the reduction ought to be more than one-half, and I will prove it by the testimony of the railroads themselves.

Mr. Spencer, president of the Southern Railroad, in his testimony before the postal commission, laid down the doctrine and stated it as a fact that they were forced to haul 50 per cent more dead weight per ton in carrying passengers than in carrying mail.

What does that mean? Mr. Spencer said in his testimony before the commission that in finding a fair rate you must always compare the amount of dead weight that is carried in relation to the live weight that is

paid for to arrive at a fair determination. Now, what does Mr. Spencer say in his testimony? He says, first, that the railroads are forced to haul 15 tons of dead weight in hauling 1 ton of mail that is paid for, while in hauling 1 ton of freight they are forced to haul only 1½ tons of dead weight—that is, that there is ten times as much dead weight hauled by the railroads in carrying 1 ton of mail as in carrying 1 ton of freight.

His next statement is that in hauling 1 ton of passengers that the roads are forced to haul over 31 tons of dead weight; that is, there is twenty times as much dead weight in hauling 1 ton of passengers as in hauling 1 ton of freight. So we see there is twice as much dead weight in hauling 1 ton of passengers as in hauling 1 ton of mail. Now, what do these statements show?

What is the average rate for a ton of freight for average haul of distance 328 miles? As already shown, it is about 0.8 of a cent. Then, if the 100,000,000 tons of mail were carried at freight rates it would only cost the Government about \$800,000 a year. But Mr. Spencer says that there is ten times as much dead weight in carrying mail as in carrying freight, so we will multiply the freight rate by ten and make \$8,000,000 a year as a fair price to the railroads for carrying the mail, according to Mr. Spencer's own admissions.

But some Senator may say it is not fair to compare freight with mail on account of the difference in the cost of the cars. He must remember that we pay very high rent, in addition, for the use of postal cars. Besides, the railroads must keep books of their freight business and have a large force of employees to look after it, which is expensive, and which they do not have to do to such an extent in connection with the mail.

Now, let us consider Mr. Spencer's next admission. He admits that there is twice as much dead weight carried on every passenger train for every ton that is paid for as is carried on a mail train. So if there is twice as much dead weight, twice as many tons of dead weight for every live ton that is paid for on a passenger train as there is on a mail train, then we ought to find out what a ton of passengers pays and make a deduction of 50 per cent to find out, according to his comparison, what is fair for mail.

What does it cost to carry a ton of passengers? It costs a little over 16 cents, estimating each passenger and his baggage at 200 pounds. But Mr. Spencer says that the average weight of passenger and baggage is 250 pounds. That will make it between 15 and 16 cents—say 16 cents. Then 100,000,000 of passengers would cost \$16,000,000. Now, inasmuch as there is twice as much dead weight in carrying passengers as in carrying mail, then 100,000,000 tons of mail should cost the Government only half that amount, or about \$8,000,000.

So, Mr. President, while all that I have ever contended for was that we were paying twice as much for mail as passengers pay for similar service per ton, and that therefore we should reduce the mail pay down to passenger pay, Mr. Spencer's statement before the postal commission, which has been heralded as a fine, concise argument, shows that Congress ought to scale down my figures 50 per cent—pay only half as much for mail as is paid for passenger service. If there is an attorney of the Southern Railroad in the United States who can disprove that statement or can show that it is not a fair deduction from Mr. Spencer's figures and admissions, then I am willing to submit the case.

Then it is proved that we pay forty-four times as much for mail as is paid for freight. We pay ten times as much for carrying the mail as the railroads receive for carrying the express. We pay twice as much for carrying the mail as the railroads receive for carrying passengers, and then, according to Mr. Spencer's figures, we should scale down the mail pay, not only to what the passenger fare is, but 50 per cent lower, because there is twice as much dead weight about a passenger train, compared with the live weight that pays, than there is about a mail train.

Mr. Spencer's figures go further than any figures I have presented. I claim that the facts I presented a year ago, and which I presented yesterday, prove conclusively, if they are correct—and they have never been questioned to my knowledge—that there should be a radical reduction; that they justify a reduction of 50 per cent in the pay; and yet, to be on the conservative side, to be certain not to make a reduction that is too radical, I have never offered an amendment asking for more than 20 per cent reduction. I have felt that that was certainly on the inside of the truth by 50 per cent. Yet here this testimony by Mr. Spencer proves that my estimate was too small.

Mr. President, Senators will find on their desks this morning a photograph of three postal cars. We pay for this postal car [exhibiting] \$6,250 a year rent, when the car can be bought in any car shop in the world for \$4,000, and at the outside, as stated by Mr. Spencer, I think, in his testimony, \$5,000. No one has ever claimed that that car cost more than \$5,000, and it would last twenty years. In twenty years' time we will pay \$125,000 rent for that car, which cost but \$5,000 to build. So we pay more than twice as much for mail as is paid per ton for passenger fare in this country.

In addition to that we pay for the rent of the car that the mail is hauled in more rent each year than it would take to build the car and equip it completely. There is not a figure, there is not a single statistic that I have furnished that has not come from official sources, and information that I have gotten outside has simply confirmed it. When the information from the outside exceeded the information that I received from Poor's Manual or the Post-Office Department or the Railway Economics, and other sources, that are considered official or as recognized authority, I have not presented it.

And yet the Senator from Iowa and other Senators make simply this answer, "It is arbitrary." Arbitrary to make a reduction. "Arbitrary." Mr. President, that word will have to be put in the dictionary with a new definition written, if we take the construction which the Senator from Iowa puts on it. "Arbitrary." You arbitrarily refuse to agree to reduce in the face of facts, with no counter evidence produced that can prove that these facts are not credible, and are not the truth, or within close range of the facts.

We are told that we want to make an arbitrary reduction. As I understand the word "arbitrary," an arbitrary reduction would be one made blindly without any facts, without any discussion, without any reason—with all the facts and arguments, in fact, on the other side. The only arbitrary action has been the action of the Appropriations Committee in refusing to reduce rates or to refute the facts presented, and "arbitrarily" asking us to wait an indefinite length of time for them to investigate. That is arbitrary, especially when they refuse to report after a year's investigation, and when we now ask them to please tell us when they will make a final report they say "We can not answer." That is what I call "arbitrary."

Mr. President, we had better try to get information from other sources. We had better divide these questions up and have a half dozen commissions, if we have to wait three years before we can get an investigation of a question which has already been investigated and enough evidence secured to convince any man, it seems to me—evidence which all of the persons who have desired to contradict it have not been able to furnish the data to do. These facts show that there should be a 50 per cent reduction.

The National Board of Trade became interested in this question because they want 1-cent letter postage. Their resolutions were read yesterday, which they passed last December at their annual meeting in Washington. They had a committee a year investigating it. I have never asked for but 20 per cent reduction. In their resolution they ask for 25 per cent reduction, and that is moderate; that is half of what the evidence shows should be made. They agree with me that the fact is there ought to be a 50 per cent reduction. Yet they say the railroads themselves ought to voluntarily agree to half that reduction—25 per cent.

Those are the business men of the country—the men who are dependent upon the railroads. They are not politicians. They are not men seeking campaign thunder. They are not men who have any prejudice against railroads. They are men whose very existence and prosperity and business success depend upon railroad prosperity and a kindly feeling existing between them and the railroads. Yet those men—closely linked to the railroad interests of this country, so dependent upon them, men who are purely business men and nothing else—after investigating this matter through a special committee at once ask for a 25 per cent reduction, and say that is just half of what ought to be made according to the facts. I asked for 20 per cent a year ago, and I was met with the proposition to stop and investigate. I am met with that for another year, and I am to be met with it for a year still after that.

Mr. President, all that I ask in the amendment this morning is a 10 per cent reduction. I am not begging the question or hedging or running from it. I have simply done that so that there shall not be any increase in the lump sum of the appropriation while the investigation is going on. I submit that with all this evidence before us it is a criminal waste of public money to proceed to appropriate \$3,000,000 this year more than last, with all these facts showing that there ought to be a 50 per cent reduction. I submit that it is not conduct that can commend itself to business men, to men of common sense. It can not commend itself to anybody that I can see except the men who get the money.

That is what astonishes me—that there should be this desperate effort to prevent the adoption of an amendment which simply holds down the appropriation to what it was last year, while the commission investigates and tries to find out what the Merchants' Association and the National Board of Trade and the National Trades' League have already found out. Does anybody suppose that at their annual meeting the National Board of Trade of this country would have ever passed such resolutions, taking the risk of offending the railroads of the country, if they had not felt that it was their patriotic duty to do it? In fact, the very resolution that they passed expresses the kindest feeling for the whole railroad interests of this country.

Is Congress blind? Do we want to stay blind? There is one way that a Senator, it seems to me, can preserve his conscience and yet vote for this appropriation, and that is not to hear these facts. If he goes and stays in the cloakroom until they are presented and nobody answers them; then it seems to me he can possibly come into the Senate with a clear conscience and vote for this appropriation. It is no gain for me if this reduction is made or is not made. It does not mean a single thing to me as an individual.

But with a vote upon this floor, and charged with the important trust as a representative in part of a great State of this Union, I can not remain in my seat and keep my mouth closed, with these facts in my possession, and see a bill railroad through here with an appropriation that is nothing less than a common steal of the people's taxes for the benefit of a number of corporations who are getting 100 per cent greater pay for the service they render the Government than for any other service they render.

When I say "steal" I do not mean, of course, that the committee which reported the bill is stealing, but I mean that we are blandly and recklessly wasting the people's money to pay lavishly to the railroads a sum which they are not entitled to and which they would not ask as a business proposition if it were to be paid by merchants or manufacturers or any business concern that is run on business principles—a sum greater than they themselves in their own rules laid down have said it was fair for them to receive; a sum greater even than any commission that has ever investigated the question has, according to the fundamental principles laid down, said was fair; a sum greater than is paid in any other country in the world for like service.

Mr. President, as a member of the Post-Office Committee, I have been four years studying this question and other postal reforms. I have at every session of Congress made an effort to have simple justice done between the people and the railroads, and I have never yet asked for an amendment to be adopted that did not split the difference in half between what it seemed by the facts was justice between the people and the railroads. I have courted investigation of the facts which I have presented each year.

I have challenged contradiction and sought any information that anybody could give me. I am as absolutely certain that I am right and that these data are correct, and that a reduction of 20 per cent is too small, as I am that there is a God in Heaven. Each year I have appealed to Senators to listen to these facts. They have been busy with other matters. But few Senators can take the time to investigate one subject of this magnitude to any great extent. They must depend necessarily upon the reports of committees, but the enormity of this thing has so grown that I appeal to Senators to listen to the facts and be governed by them instead of by the custom of following committees.

Committees sometimes are wrong; individuals sometimes are wrong, and sometimes the majority of a whole committee are wrong. They are wrong now in my judgment, and wrong because they have given their attention to other questions and not gone to the bottom of this matter. In fact, I do not know when they will get to the bottom of it, for they would not promise us yesterday that they expected to do it a year from now.

Mr. President, if my present amendment is adopted it means no adequate reform. It simply would have the decency not to pile up \$3,000,000 more bounties while we are investigating to see how much to reduce. I realize how I am handicapped in attempting to advocate the adoption of an amendment while the commission are investigating, even though the commission will not tell us whether they expect to report in ten years or not.

I will be just as badly handicapped a year from to-day as I am now, or any other Senator will be, and if they were to fail to report for three years from to-day I would be just as badly handicapped as I am now. Therefore I have simply asked that we do not increase this appropriation more than it was last year while they are investigating. Do Senators realize that this bill carries the biggest increased appropriation for the Railway Mail Service that was ever put on an appropriation bill? But whether it does or not is not the question. I submit that the amount we paid last year certainly should not be increased until we can get a report, and if it does great harm to the railroads then they would use their influence to "induce" the commission to make a report early.

It would be a great deal pleasanter for me in a great many ways, and for other Senators, to let this appropriation go through and close my eyes to it. Railroads can make themselves very agreeable to Senators; they can to individuals; and we all like for people to be agreeable to us. It is pleasant, it is convenient, and very advantageous at times to have railroad people agreeable to us. I do not like to have the enmity of any individual or corporation, and never will intentionally do anything to get their enmity, besides it does not pay; and if I were not so well satisfied that this thing is outrageous, that it is simply robbing the Treasury unnecessarily, I would keep my seat and not make myself

the target of any influence in this country that would desire to punish me for telling what I think is the truth. But, Mr. President, I am doing my duty as I see it, and I am appealing to Senators to stand by this amendment, not because I want it or because I offered it, but because it is right.

Now, Mr. President, as there are but fifteen minutes left before 2 o'clock and the Senator from South Dakota wishes to be heard, I ask that this brief which I would have read if I had had time to discuss it, which was prepared by Mr. Finley Acker, of Philadelphia, the chairman of a special committee appointed by the National Board of Trade to investigate the question of railway mail pay and 1-cent letter postage, be printed in the RECORD.

Yesterday I offered the resolutions passed by the National Board of Trade. They were offered by the committee of which Mr. Acker is chairman. He has continued in that service and has prepared this brief. Some of the facts that I have used this morning are taken from this paper. Mr. Acker appeared this morning before the postal commission, and this paper is substantially the evidence that he gave before the postal commission. I desire it printed in the RECORD as a part of my remarks. I make that request.

Mr. WOLCOTT. If I may interrupt the Senator from North Carolina, I will say that this statement of Mr. Acker is identical word for word with—it is a carbon copy of—a statement which the postal commission has been listening to for more than two hours and a half this morning. I want to facilitate the wishes of the Senator from North Carolina in every respect, but it will be printed in the testimony taken by the postal commission. If the Senator will have it printed as a document I shall be delighted, but it seems to me rather like a case of too much Acker to print it as a document and to print it in the RECORD, giving three publications at Government expense.

If it would reach any wider field, or if there were any advantage to be gained, I would not object. I am making my objection in the utmost good nature and with the best good faith. I suggest to the Senator that if he ask that it be printed as a document his wishes will be willingly complied with to that extent. It is a valuable statement, but no matter whether valuable or not, it is a little tough to print it three times.

Mr. BUTLER. Ordinarily I should say the suggestions made by the Senator were eminently proper, but under the present conditions I desire very much to have it appear in the RECORD. When I agreed to the unanimous consent, yesterday evening, it was done on condition that matter of this kind should go into the RECORD and be published. I would not have consented to vote at 2 o'clock had not that understanding been had, for I have a special reason for its going into the RECORD. If in fact, were the Senate not so pressed for time, I should have taken time to have read every line of it and to have discussed it, for it is full of meat from the first line to the end, prepared by business men in a businesslike way from a business standpoint. To accommodate the Senator from Pennsylvania, and to expedite business, I agreed yesterday afternoon to take a vote to-day when I was very anxious to read that whole document and discuss it. Therefore I ask that this statement go into the RECORD.

The VICE-PRESIDENT. Is there any objection to the request?

Mr. WOLCOTT. As I said before, it seems to me wicked to print it three times at Government expense in documents every one of which will be accessible to the whole public. But I am not disposed to interpose any objection that would prevent it from going in as often as anybody's sense of public duty permits him to request it shall go.

The VICE-PRESIDENT. The Chair hears no objection. The order is made.

The paper referred to is as follows:

Remarks of Finley Acker before the Joint Commission of Congress to Investigate Railway Mail Pay February 21, 1899.

MR. CHAIRMAN AND GENTLEMEN: When I accepted Mr. FLEMING's invitation to appear before you and testify under oath to the accuracy of the rather startling statements embodied in the preamble and resolutions of the National Board of Trade I anticipated very little trouble or labor, and I was not disappointed.

But when I innocently accepted his second invitation to submit under oath such data as would enable you to determine how much it actually cost the railroads to haul mail matter, and also to reply to the eight propositions contained in the celebrated address of President Spencer, I confess I did not appreciate how large a contract I had undertaken.

I soon realized that the work required not only a clear knowledge of the difference in all the details between hauling freight and passengers and mail, but also required some comprehensive knowledge of the practical operations of a railroad, and operations like the following had to be answered in order to prepare

intelligent data that would be worthy the consideration of your commission:

What is the actual locomotive cost of hauling a ton a mile?

What is the actual profit or loss upon hauling freight at less than 1 cent per ton per mile?

How many pounds of coal are used per mile by passenger locomotives and how much by freight locomotives?

How many cars in and what is the average gross weight of a train of freight cars and a train of passenger cars?

What is the average weight of freight to a freight car and the average number of passengers to a passenger car?

What is the average price of each freight transaction and the length of the average haul?

What percentage of freight and passenger cars is kept in reserve and what percentage is hauled empty?

What is the proportionate number of officers, clerks, station men, engineers, conductors, track men, and all the other employees who perform service, either for passenger, freight, or mail service?

What does it cost the railroads to maintain their roadway and structures?

How much to repair and renew freight and passenger cars?

How much for freight and how much for passenger service in the items of train service, train supplies, agents, and station service, station supplies, injury to persons, outside agencies and advertising, stationery and printing, and a number of other expenses, which must be analyzed in order to solve the problem correctly as to how much it ultimately costs the railroads to haul mail matter?

Notwithstanding the difficulties in the way of securing such technical data, I am glad to say that I have been able to submit nearly all of this data, which will be found in the compendium of railway statistics which I have compiled for your future investigations.

NOT HOSTILE TO THE RAILROADS.

In submitting this data, however, I do not wish to be understood as being hostile to the railroads. On the contrary, I cherish for the great railroad systems of this country the very highest appreciation. I regard them not only absolutely essential to our commercial prosperity, but also a most powerful factor in the development of the natural resources of our great country and of the moral and intellectual characteristics of our people.

Nor do I fail to appreciate the important service they render in the social and labor world in giving profitable employment to nearly a million of our people and in furnishing an important medium of investment to large and small capitalists. My advocacy of lower rates for the hauling of mail matter emanates from no hostility to these or any other useful corporations, but the position I have assumed and hope to consistently maintain is to treat this question upon the basis of absolute fairness to the railroads, fairness to the Government, and fairness to the people; and should any statement which I submit appear, at first thought, to be exaggerated or incredible, I will ask you to withhold final judgment until you take time to analyze the figures or statements for yourself; and should anyone be able to point out a fallacy or discrepancy in my statements no one will be more grateful to know of it and none more ready to correct it than myself.

ABSOLUTE FAIRNESS.

I mention this for the reason that after a public reading of the rather startling resolutions of the National Board of Trade an eminent legal gentleman, who is also a director of one of the great railroads of this country, was, apparently, so astonished, and, I may even add, indignant, at the figures, that he said to me.

Mr. Acker, I believe you are honest in your convictions, but you are altogether wrong in your figures, and I can prove it.

I thereupon gave him a copy of the resolutions, together with a copy of the full report of the committee, and assured him that I would take the first public opportunity for correcting any error that he would point out. Several weeks after this I informed him that I had received a request to appear before you, and that I would gladly correct any misstatement at this time if he would point out the errors which he thought existed; but in reply I received a very courteous letter stating he had been and was now so busy that he had not had, and had not now, time to point out the mistakes in the figures in my report. He, however, promised to take it up as soon as he could. This reply was received over a month ago, and I have received no communication since. I do not quote this incident as conclusive verification of the accuracy of my figures, but simply to illustrate the spirit of fairness which has governed my investigations, and also to illustrate that even men who are well posted in railroad affairs may themselves be astounded when they are suddenly confronted by the bare facts, stripped of the glamour with which they are so frequently clothed.

In addition to the above instance, I will further say that I have requested the gentlemen who invited me here to invite at the same time an eminent railroad attorney, or railroad expert, to

whom I would hand a copy of this address with the request that he make notations upon the same as it is being delivered, and afterwards to expose every fallacy he could discover. I made this request, however, upon the assumption that the railroad representative would also be willing to testify under oath, and would treat the railroad side of the question upon the same fair and broad-gauged platform which I shall faithfully endeavor to occupy in discussing this question.

FUNDAMENTAL POINTS OF THE QUESTION.

I shall endeavor to repay your time and attention by covering the following points, which appear to me to be vitally and fundamentally connected with this subject:

First. Verify by reliable authorities every statement contained in the resolutions adopted by the National Board of Trade.

Second. Analyze the points of similarity and dissimilarity between the hauling of mail matter and the hauling of miscellaneous freight, and compare the amount received by the railroads for hauling the mail with the amount they receive for hauling a similar weight of miscellaneous freight.

Third. Analyze the points of similarity and dissimilarity between the hauling of mail matter and the hauling of passengers, and compare the amount received by the railroads for the hauling of mail with the amount they receive for hauling a similar weight of passengers.

Fourth. Analyze the question, "How much greater to the railroads is the cost of hauling mail matter in railway post-office cars than the cost of hauling mail matter in combination cars?"

Fifth. Analyze, in the light of the above conclusions, the statement submitted on January 6, 1890, by Mr. Stuyvesant Fish, president of the Illinois Central Railroad, and the eight propositions contained in the very able statement submitted in December last by Mr. Samuel Spencer, president of the Southern Railroad.

The above prospectus may suggest a task of no small proportions for a layman, but if I succeed, which I hope to do, in demonstrating a simple and practical method of determining these several propositions, you will very soon perceive that the credit will not be due to any skill upon the part of the speaker, but will be due wholly to the inherent power and logic of the simple facts themselves.

The preamble and resolutions stated in brief:

1. That the rates for hauling mail matter had not been modified for twenty years, although freight rates had declined about 35 per cent and passenger rates about 17½ per cent; and that after the weight of 5,000 pounds was reached the Government paid the same rate for hauling 300,000 pounds per day as it paid for hauling 20,000 pounds.

2. That the mileage of star roads had increased 14½ per cent, while the total cost for hauling had decreased; and the mileage of railway mail routes had increased 43½ per cent, but the cost of hauling increased 135 per cent.

3. That the rate paid to the railroads for hauling mail 100 miles averaged \$40 per ton, while the average rate paid for freight is only 89 cents per ton and the average rate for passengers about \$20 per ton.

4. That the average rate paid to the railroads for carrying 100 pounds of mail the length of the average haul was \$6.53, and the average rate paid to the railroads by the express companies for their average haul was 60 cents.

5. That the Government pays, in addition to the regular rates, an extra charge, averaging \$6,250 each year, for the use of so-called railway post-office cars, although these cars cost only from \$2,500 to \$4,000 to build.

Authorities.—Interstate Commerce Commission; Second Assistant Postmaster-General; General Shallenberger; Poor's Railroad Manual; Postmasters-General's reports; General Superintendent White; Census Report; W. W. Baldwin, of the Chicago, Burlington and Quincy Railroad, and A. A. Allen, of the Missouri, Kansas and Texas Railway System.

VERIFICATION OF RESOLUTIONS.

First. As to the verification of the resolutions.

The first section of the preamble reads as follows:

Whereas the law determining the rates for hauling mail matter by rail has not been modified for twenty years, notwithstanding the fact that during that period, according to Poor's Railroad Manual, freight rates have declined about 35 per cent and passenger rates have declined about 17½ per cent, and notwithstanding the fact that after the daily average weight of 5,000 pounds is reached the same rate is allowed per ton for hauling 300,000 pounds daily as is charged for only 2,000 pounds.

The first statement in this preamble is that the law determining the rates for hauling mail matter has not been modified for twenty years. This is verified by the testimony of Second Assistant Postmaster-General Shallenberger, on page 102 of Senate Report No. 991, Calendar No. 1076, in which he gives June 17, 1878, as the latest date upon which a change was made.

The second proposition in regard to reduction of freight and passenger rates was taken from a report made by the auditor of the Interstate Commerce Commission, that freight rates were

reduced from 1.236 cents per ton per mile in 1882 to 0.806 in 1896, a reduction of nearly 35 per cent, while passenger rates were reduced, per passenger, from 2.447 cents in 1882 to 2.019 cents in 1896, a reduction of about 17½ per cent; but Poor's Railroad Manual for 1883, on pages VI and VII, quotes 1.2 cents as the average freight rates in 1882, while for 1897, on page XI of the 1898 edition, it is quoted at 0.783 cent, a reduction of 34½ per cent, while Poor also quotes, on page VI of the 1883 edition, passenger rates at 2.86 cents for 1882, and on page XI of the 1898 edition quotes 2.08 cents for 1897, a reduction of over 27 per cent.

The third proposition, that "after the daily average weight of 5,000 pounds is reached the same rate is allowed per ton for hauling 300,000 pounds daily as is charged for 2,000 pounds," is verified by Second Assistant Postmaster-General on page 103 of Senate Report No. 991, where he says: "Under the law, all mail carried in excess of 5,000 pounds must be carried at the minimum rate of 5.8 cents per ton per mile. Every ton in excess of 2½ tons must be carried at that low rate." And on the same page Mr. Shallenberger testifies that one route carries mail in excess of 300,000 pounds per day. The carefully prepared tables, however, which are generally used for reference, show gradually diminishing rates from \$1.17 per ton per mile for carrying 200 pounds daily down to 6 cents per ton per mile for carrying 300,000 pounds daily.

These tables are, however, misleading, as they create the impression that the rate is actually reduced in proportion to the increased tonnage, when, as a matter of fact, after 5,000 pounds per day are carried, the calculation first credits 2½ tons of matter at 18.7 cents per ton per mile, and then calculates all the weight in excess of the 2½ tons at 5.8 cents per ton, regardless of whether the excess is 2,000 pounds or 300,000 pounds. If, however, the first credit of 2½ tons at 18.7 cents is merged into the calculation of the amount in excess of 5,000 pounds, the average rate can always be made to appear a trifle less as the weight increases, but can never be as low as 5.8 cents on account of the first 2½ tons being allowed 18.7 cents. A practical illustration of the above is as follows: One road may carry 7,000 pounds daily and another carry 307,000 pounds daily; in both cases each road practically receives credit for 5,000 pounds at the rate of 18.7 cents per ton per mile, but the first road received for its additional 2,000 pounds 5.8 cents per mile, and the second road also receives for each ton of its additional 302,000 pounds 5.8 cents per mile.

The second section of the preamble is as follows:

Whereas since 1885 the mileage of the star routes has increased 14½ per cent, and the average weight of mail matter materially increased, while figures show that the total cost of hauling has slightly decreased; while, during the same period, the mileage of railroad routes has also increased 43½ per cent, but the cost of hauling also increased from \$14,758,495 to \$34,754,742.69, or an increase of over 135 per cent.

The authority for the above figures will be found as follows:

Mileage covered by star routes:	
1885 (Postmaster-General's Report for 1886, p. 24)	232,222
1897 (Postmaster-General's Report for 1898, p. 167)	265,598
1898 (Postmaster-General's Report for 1899, p. 290)	266,135
Cost of transportation star routes:	
1885 (Postmaster-General's Report for 1886, p. 24)	\$5,414,894.00
1897 (Postmaster-General's Report for 1897, p. 168)	\$5,383,903.41
1898 (Postmaster-General's Report for 1899, p. 290)	\$5,310,501.00
Mileage covered by railroads:	
1885 (Postmaster-General's Report for 1886, p. 561)	121,032
1897 (Postmaster-General's Report for 1897, p. 167)	173,475
1898 (Postmaster-General's Report for 1899, p. 630)	167,755
Cost of transportation and railway post-office cars:	
1885 (Postmaster-General's Report for 1886, p. 176)	\$17,330,512.00
1898 (General Superintendent White, p. 134, Senate Report, 991)	\$34,754,742.69

The above official statistics corroborate the different claims in the preamble with the single exception of the cost of the railroad transportation charge in 1885, which was represented by one authority to have been \$14,758,495. An examination of the Postmaster-General's Report for 1886 shows some apparent discrepancies between the figures of the Postmaster-General, the Second Assistant, and the General Superintendent. Inasmuch, however, as the data for 1898 included the additional cost of the railway post-office car service, I have added that item to the original figures of 1885, which makes the percentage of increase in cost of transportation a trifle over 100 per cent. But as the mileage for 1898 is apparently less than in 1897, the percentage of increase accredited to mileage should also be reduced from 43½ per cent to 38½ per cent.

The third section reads:

Whereas the post-office statistics show that the rate paid to the railroads for hauling mail matter averages \$40 per ton per 100 miles, while, at the same time, according to Poor's Railroad Manual, the rate received by railroads for hauling miscellaneous freight averages but 82 cents per ton per 100 miles, and the rate received by the railroads for carrying passengers (allowing 200 pounds for each passenger and baggage) is about \$20 per ton per 100 miles.

The first statement is that post-office statistics show that the rate paid to the railroads for hauling mail matter averages \$40 per ton per 100 miles. This statement is verified by the testimony of the General Superintendent of the Railway Mail Service, on page 134 of Senate Report No. 991, in which it was shown that \$34,754,742.69 was paid to the railroads for carrying 528,389,069

pounds of matter an average distance of 328 miles, thereby showing the cost of hauling 1 pound of mail a distance of 328 miles was 6.58 cents, or \$131.00 per ton. By dividing \$131.00 by 328 miles we have 40 cents as the cost per ton per mile, or \$40 per ton per 100 miles.

The second claim, that the earnings from miscellaneous freight average the railroads only 82 cents per ton per 100 miles, is verified on page XI of Poor's Railroad Manual for 1898, although the earnings for the past year are still lower, namely, 78.3 cents per ton per 100 miles.

The third claim, that the rate received by the railroads for carrying passengers (allowing 300 pounds for each passenger and baggage) is about \$20 per ton per 100 miles, is verified on page XI of Poor's Railroad Manual for 1898, where the earnings for 1896 are given at 2.03 cents per passenger per mile, or \$2.03 per 100 miles, or \$20.30 per ton, representing ten passengers and baggage.

The fourth section of the preamble reads:

Whereas the post-office statistics further show that the average rate paid to the railroads for hauling 100 pounds of mail matter the length of the average haul (estimated to be 328 miles) is \$6.58, while the Census Report of 1890 shows that the average rate paid to the railroads by the express companies for their average haul (the length of which is not shown by statistics) was but 60 cents per 100 pounds.

The first statement as to the cost of hauling mail matter being \$6.58 per 100 pounds the length of the average haul is verified by the testimony of Superintendent White, on page 136 of Senate Report No. 991, and the figures in regard to the express companies are verified in the second part of the volume on transportation of the Census Reports of 1890, on page 931, where it is shown that 115,877,112 packages were expressed, weighing 3,292,546,000 pounds, and on page 934 it is further shown that \$19,327,000 were paid to the railroads for transporting this matter; consequently the cost for railroad transportation was a trifle less than 60 cents per 100 pounds for the average haul.

It may be suspected, however, that the average weight of express packages would be much heavier than the weight of pouches of mail, but it is only necessary to divide the 115,000,000 express packages into 3,292,000,000 pounds and we find the average weight to be 28 pounds.

In my main argument, however, it will be noted that I have ignored the question of express rates. My reason for this is partly because I do not consider express rates a fundamental question, such as freight rates and passenger rates, because the express business is more or less of a monopoly, and consequently exempt from the operations of the law of supply and demand which regulates to a considerable degree the freight and passenger business. Then, again, the Merchants' Association of New York is furnishing rather strong evidence to show that the present express rates are extremely exorbitant and oppressive.

But another reason why I dislike to take up the question of express rates is because it is so "slippery." There is so little data obtainable that can be relied upon as trustworthy or indisputable. I am informed that one gentleman interested in the express business swears that the figures published in the Census Report are untrue, notwithstanding the fact that they were made up from the sworn returns made by the express companies themselves. I confess having a very strong disinclination to argue a question when reliable facts are not obtainable; and I have therefore chosen the freight rate, which is the cheapest, and the passenger rate, which is the most costly, because in these two rates we have the two extremes, and we also have comprehensive data impartially compiled and believed to be reasonably accurate.

The last section of the preamble reads:

Whereas the Department now pays, in addition to the above rates, an extra charge, averaging \$6,250 each year for the use of each special mail car, notwithstanding the fact that these cars cost only from \$2,500 to \$4,000 each to construct, and notwithstanding the fact that the additional cost to the railroads in using these cars over the ordinary apartment cars, which they otherwise would use, consists mainly in hauling a slightly heavier weight.

The first claim is that \$6,250 is paid each year for each special mail car, or, more strictly speaking, railway post-office car. This is verified by General Superintendent White, on page 139 of Senate Report No. 991, and also by W. W. Baldwin, of the Chicago, Burlington and Quincy Railroad Company, on page 14 of the same report.

The second point in regard to the cost of postal cars is verified on page 49 of the same report in the statement of Mr. A. A. Allen, of the Missouri, Kansas and Texas Railway System. This party, in a statement prepared to show how little profit is made out of railway mail transportation, quotes \$2,500 as the cost of full postal cars, and the same price for combination baggage and mail and passenger and mail cars.

The third point, that the additional cost to the railroads in using these cars over the ordinary combination cars, which they otherwise would use, consists mainly in hauling a slightly heavier weight, I will endeavor to clearly demonstrate under the head of railroad post-office cars.

From these official statistics and references which I have quoted, you must no doubt be convinced that, notwithstanding their startling character, the claims and statements made in the preamble are well authenticated by the highest authorities, and it is in the same conservative and judicial spirit that I take up the second question of analyzing the points of similarity and dissimilarity between the hauling of mail and the hauling of freight, and propose a definite method for determining how much greater to the railroads is the cost of hauling mail matter than the cost of hauling miscellaneous freight.

The method for solving this problem may be more simple than is generally supposed. It is not difficult for an architect or contractor to approximate the difference in cost between a perfectly plain but substantial building of a given size, a more elaborate and more finely finished one of the same size, and one of the same dimensions but embodying the latest and most costly improvements. He simply compares the kind, quality, and finish of the materials and labor which enter into the construction of each building, and may approximate the first at 14 cents per cubic foot, the second at from 20 to 25 cents per cubic foot, and the third at from 28 to 45 cents per cubic foot, according to the style and finish of the building.

This method of calculating values by means of comparison is used daily in all branches of business. Why should not the same principle be used in ascertaining the comparative cost of hauling two kinds of freight?

All that need be done is to find out in what respects they are similar and in what respects they differ, and for those details in which they are unlike make an equitable credit or debit accordingly. Can any just criticism be offered upon this very simple and practical method, provided the comparison is made with thoroughness and intelligence and in a perfectly fair spirit?

It is in this spirit and according to this method that I first call attention to the points of similarity between hauling mail matter and hauling miscellaneous freight.

First. Both are drawn by locomotives.

Second. Both are carried in cars.

Third. Both are conveyed over tracks and roadbed.

Fourth. Both are receipted for and the records kept by railroad employees.

Fifth. Both are given temporary storage facilities.

Sixth. Both are shipped sometimes in small lots, sometimes in full car lots, and sometimes in full train lots.

Seventh. Both at junction points are trucked by railroad employees to connecting trains.

POINTS OF DIFFERENCE.

First. Mail is hauled by passenger locomotives, while freight is hauled by freight locomotives.

Second. Mail is carried in combination cars or railway post-office cars which are lighted and heated, and freight is carried in freight cars which are neither lighted nor heated.

Third. No rental is charged by the railroads for freight cars, nor for combination baggage, mail, and express cars, but for railway post-office cars a rental is charged which in a single year exceeds the entire cost of the car.

Fourth. Mail requires comparatively little storage room at the stations because of its prompt delivery to and from the cars, although small rooms are furnished at transfer stations for the accommodation of mail clerks, while freight requires extensive storerooms to accommodate the freight, which may occupy storage space for an entire day before being shipped, and may occupy similar storage space for four days or longer before being removed by the consignee.

Fifth. Freight is loaded and unloaded by railroad employees, one railroad official having estimated that it would take one man ten hours to load, and another man ten hours to unload a car containing 600 cases of canned goods. On the other hand, all the work connected with the handling of the mail inside the car is performed by mail clerks.

Sixth. The aggregate cost of agent and station service chargeable to freight service, as per Census Report on Transportation, page 209, was \$62,113,781, and against this item is the time consumed at about 20,000 towns by the station agent in carrying the mail pouch to and from the post-office when not more than 80 rods distant.

Seventh. Railroad companies are liable as bailees for freight stored in their warehouses and as common carriers for freight in transit, which loss, according to page 209, Census Report, amounted to \$4,259,318.18. The railroads are not similarly liable for loss of mail, although subject to a fine if the mail is lost or injured because of neglect, and also liable in case of injury to railway mail clerks. Last year 7 clerks were killed and 170 injured.

Eighth. Considerable expense is incurred by railroad companies in endeavoring to secure freight for their lines, tracing missing goods, adjusting claims, etc., which utilizes part of the service of 22,239 general office clerks, while practically little or no expense

is necessary to secure or retain the regular hauling of the mail or to audit the mail account.

Ninth. In hauling freight, railroad companies are subject to fluctuating periods of great activity or dullness, and, according to the Lehigh Valley Railroad report for 1898, page 45, haul an average of 86 per cent of empty cars, but in hauling mail the company is practically guaranteed for a period of four years or longer a uniform daily amount, regardless of fluctuations, and rarely hauls empty mail cars, except on their way to and from the repair shop.

Tenth. In conducting freight business the railroad companies incur the attending expenses necessarily associated with handling many thousand customers, but in hauling mail they deal with but one patron, the Government.

Eleventh. The average haul of freight in 1897 was but 128.27 miles (Interstate Commerce Statistics of Railroads, p. 63), and the average haul of mail is 328 miles.

Twelfth. Railroad companies are required to furnish catches at 10,520 way stations for mail, but not for freight. These catches are estimated to cost \$15 each, and last from 10 to 15 years.

It will be seen from the above comparisons that in some details the cost of hauling mail matter is greater, and in other details the cost is less, than the cost of hauling freight; and I had hoped to be able to furnish you with a complete table of reliable computations upon the actual cost of each one of these differences, but I have been seriously hampered in securing all of the necessary data, and rather than furnish an incomplete and untrustworthy table of calculations I have concluded to request the railroad representatives, who have every facility at hand for securing the necessary data, to take each point of dissimilarity and figure it out upon a fair and strict business basis.

If this is done fairly and the total cost added to the price of hauling the mail as computed by the average freight rate, we will then get a rate for hauling mail which will represent to the railroads the same ratio of profit as they now make upon the hauling of freight. But you will observe that I recommended taking up each item of difference and reducing it to a specific money basis in order to secure a definite and tangible result, for if we allow ourselves to be drawn away from this definite business basis and the application of the almost infallible law of averages and fritter away our time by worrying over the financial troubles of an obscure railroad, or by becoming spellbound by the marvelous features of a patent rack, or a particular kind of light, or the quantity of fuel and ice water used in a post-office car, when the broad national question of the expenditure of \$34,000,000 is involved, we will probably do exactly what the railroad interests would have us do; and I think we will find, as so many have found heretofore, that when we permit ourselves to be inveigled into controversies over petty, complicated, or local details of which we have no knowledge except what the railroads choose to give us, we will flounder and flounder until we are tempted to resolve never again to become involved in the perplexities and complexities of railroad problems if we ever escape from the present dilemma with our mental balance fully preserved.

But a review of the testimony of railroad representatives is not encouraging to the hope that they favor the analysis of this question upon broad national lines which show the aggregate results of all the railways of the entire country; nor does their testimony appear to favor the reduction of this question to definite basis of a calculation of totals and which, by comparison, would show the actual cost of the service for which the Government pays over \$34,000,000. On the contrary, we find them belittling the idea of comparing the hauling of miscellaneous freight, which would include coal, iron, stone, hardware, dry goods, groceries, grain, cattle, etc., with so sacred an article as mail matter, and endeavoring to show the absurdity of attempting to make comparisons when a freight car weighing 16 tons may carry from 15 to 40 tons of freight, while a post-office car may weigh 40 tons and carry only 2 tons of mail; and they naturally leave someone else to demonstrate the fact that mail matter is composed simply of printed or written stationery and miscellaneous merchandise, and is handled (although not hauled) at less cost to the railroads than when the same matter is shipped as freight, and that the difference in the capacity of the cars can all be correctly calculated by the difference in interest upon the investment, the cost of renewals and repairs, and the cost of fuel for the locomotive.

We find them elaborating with great detail upon the facts that a storage room is provided for mail at transfer stations, and that the room is neatly swept, and heated, and lighted, and supplied with ice water for the accommodation of mail clerks, and that the mail is trucked to connecting roads at junction points, and they leave others to point out the facts that freight is also trucked to connecting trains at junction points, and that when the entire expense is computed of providing these small storage rooms this expense may prove to be proportionately less than that involved in the costly maintenance of gigantic warehouses required for

storing the incoming and outgoing freight, and the labor required to handle and "switch" the freight to the point of delivery most convenient for the consignee.

They dwell very explicitly and very entertainingly upon every detail of a modern post-office car, point out its marvelous racks, cases, boxes, lighting, heating, and perhaps even go into elaborate detail about the advantage of having a double tank, one for hot water and one for ice water, and they allow some one else to suggest that all this can be reduced to a practical business basis, and that these convenient details might be doubled and trebled and quadrupled—yes, might be multiplied a million times for descriptive or sentimental purposes; but as a simple, strict business proposition they are all included and provided for, every single one of them, in the total money cost of the car, and their actual value could be calculated with mathematical exactness by allowing 6 per cent a year upon the actual investment and allowing for the average annual cost of repairs and renewals.

They appeal to our sympathy by quoting the financial straits of a poor, obscure railroad which had to make 1,560 trips a year, carry 190 pounds of mail a distance of 16 miles every day and who received only \$689 a year, or an average of only 45 cents per trip, and they leave other parties to quote the opposite extreme by asking whether a single one of the above 1,560 trips was made for the special accommodation of the mail and whether they were not all made entirely for their own profit and convenience in the conduct of their regular passenger business, and whether any direct additional expenses over their regular running expense was incurred because of the daily hauling of these 190 pounds of mail?

And they also leave other parties to remind us that another railroad company, not quite so obscure, received \$1,433,938.15 per year for the transportation of mail, and that on the same basis of the miscellaneous freight rate which this railroad company claims to be profitable these amounts of 190 pounds carried 16 miles daily would cost for the entire year only \$11,248, for which the Government pays to the obscure road the so-called paltry sum of \$689.

It can not be said that the above remarks are not pertinent to the subject, for if you will critically review the testimony and arguments which railroad representatives have heretofore submitted to justify the continuance of the present rates you will be impressed with the fact that nearly all are of the descriptive or sentimental or local character to which I have alluded; and the very conspicuous avoidance of the treatment of this subject upon a basis which represents the net average figures of all the railroads of the country suggests the possibility that the definite results, as disclosed by such an analysis, may not be considered desirable by the railroad representatives.

In saying this do not misunderstand me as reflecting unfavorably upon the railroad attorneys. I always respect those who do their work skillfully and thoroughly, and in view of the superficially strong case which these gentlemen generally succeed in presenting, despite the adverse facts, you can imagine how strong a case and how powerful an appeal they could make were they, with their great eloquence and varied resources, engaged to represent that cause whose entire strength lies in its plain facts and simple truths, and which I, a mere layman, have been called upon to sustain.

COST OF ENTIRE MAIL SERVICE BASED UPON FREIGHT RATES.

As shown in our previous references, the average freight rate for 1897 was 0.783 of a cent per ton per mile, and the amount of mail hauled the average distance of 328 miles was shown to be 528,389,069 pounds, or 86,855,907 tons of mail hauled 1 mile.

WEIGHT AND MILEAGE OF RAILWAY MAIL CLERKS.

But it must not be overlooked that in the weighing of mail matter no account is taken of the weight of the railway mail clerks, who are carried free. Consequently it is only fair to the railroads that they be credited with the weight of the clerks, which can be readily ascertained, for, on page 89 of Senate Report 991, Mr. W. W. Dudley, representing the Chicago, Milwaukee and St. Louis Railroad, quotes the Superintendent of the Railway Mail Service as authority that the total mileage of railway mail clerks, inspectors, and messengers who in 1897 traveled free was 178,730,672, which, at the average rate of 150 pounds for each clerk, would represent 13,404,800 tons hauled 1 mile.

COMBINED WEIGHT OF MAIL AND MAIL CLERKS.

We therefore have the combined weight of mail and of clerks, based upon post-office and railroad authorities, at 100,060,607 tons hauled 1 mile, which at the average freight rate of 0.783 of a cent per ton per mile would equal \$783,474.59, for which the Government pays \$34,754,742.69, which is forty-four times greater than the freight rate, and \$33,754,742.69 more than the regular freight rate for hauling a corresponding weight of miscellaneous freight.

If, therefore, a fair itemized computation be made of each separate detail represented by the difference between the hauling

of 100,000,007 tons of freight and the hauling of 100,000,007 tons of mail, and the aggregate of these sums added to the \$783,474.63, which represents the freight-rate cost, we will have the total cost to the railroads of hauling the entire tonnage of mail; which cost, however, would include their regular profit on hauling a similar weight of freight.

If this computation be made fairly, item by item, by those who are in a position to easily secure the necessary data, it will not take long to determine the correct rate in the same manner as the architect or contractor who may start with plans of a perfectly plain building, but change the exterior from a plain rough brick to a Roman size Pompeian brick and terra cotta, and in place of unfinished ceilings may lath and plaster and fresco and stucco, and make other alterations until the building is entirely changed in character and appearance, but he is, nevertheless, able to compute the first at 14 cents a cubic foot and the other at from 25 cents or 45 cents per cubic foot, according to the extra costs which enter into its construction.

You can do the same in computing the cost of the mails if the railroad companies will furnish fair and reliable data for each distinctive point of difference, and in order to aid you in making your own calculations, and for verifying the calculations made by the railroads, I will offer as an appendix to this paper a compendium of railroad statistics carefully compiled from the last Census Report on Transportation; from Poor's Railroad Manual; from Railroad Economics; from the official report of the Pennsylvania Railroad and Lehigh Valley Railroad; and also a complete copy of the report by the postal committee of the National Board of Trade upon the subject of the pay of railway mail transportation.

Should, however, reliable data of the desired description be denied us by the railroads, will we not be justified in doubting the possibility of the actual cost of hauling 1 ton of mail being forty-four times greater than the cost of hauling 1 ton of freight?

But some may claim that the railroad companies are losing money at hauling at the average rate of 0.783 of a cent per ton per mile, and this brings me to the consideration of the statement of Mr. Stuyvesant Fish, the gist of which is that the combined railroad companies of the United States have for some years been losing money, "and if the railroads are not now sufficiently paid for their services it is wrong that this should be availed of to reduce their mail pay."

I am not quite sure how far Mr. Fish would go toward withholding from the Government the benefit of trade competition and denying to it, although an unusually large and important customer, the rate which would be freely offered to a small individual customer. If a distinction of this kind is to be made in one instance why should it not be made in all? I am acquainted with a large paper-manufacturing firm which supplies the Government with great quantities of paper, and I was informed at one time that their immense business showed only an insignificant return upon their immense capital, but I never heard that in order to make up their own losses, resulting from keen competition and close margins of profit, they tried to make the Government pay for their paper a higher price than they charged their individual customers.

If the Government should come to be looked upon as a sort of "godfather" for making up the losses of industries which, either because of unhealthy competition resulting from overproduction or from incompetent or extravagant management, failed to be profitable, we can readily see that the prevalence of such an idea would have the natural tendency of weakening that high sense of moral and financial responsibility which should be keenly felt and appreciated by all who assume the control of large and important operations.

Mr. Fish has demonstrated by official statistics that the united railroads of this country have not for some years made a profit upon their capitalization. I regret this fact as much as does Mr. Fish, for I profoundly believe that the most stable form of prosperity exists only when all the industries of the country are financially prosperous, but to what extent the failure of the railroads to make money is due to speculative capitalization, how much is due to the unnecessary paralleling of roads, how much is due to the seeking of business outside of their natural zone and at unprofitable rates we will not consider at this time; but it gives me much pleasure in this connection to call attention to one railroad company which has been managed, as far back as I can recall, upon absolutely strict business principles, and which instills into every class of its employees and which carries out in every branch of its gigantic business, in the construction of its roadways, in the building of its bridges, in the accuracy of its gradings, in the power and speed of its locomotives, in the style and condition of its cars—in fact, in everything which it controls—the fundamental principle of thoroughness and absolute reliability.

And this road, as far back as my memory serves me, has never passed a dividend; and yet this same road, upon page 9 of its annual report for 1897, quotes 0.475 cent per ton per mile as the

average rate it received for transporting freight over one division of 1,712 miles, and even at this low rate this well-managed road claimed to have made a profit of 0.164 cent per ton, or a profit of 34 per cent on the gross earnings, and on another division of 568 miles it received only 0.430 cent per ton per mile, which is 46 per cent less than the rate of 0.783 I have been quoting, and yet showed a profit of 0.134 cent per ton, or 32 per cent upon the gross earnings.

This road, to which I take pleasure in proudly alluding, is the Pennsylvania Railroad, whose wise, sagacious, and comprehensive management undoubtedly entitles it to the distinction of one of the greatest railroads in the world. And if all the railroads of this country were managed with equal ability, sagacity, and economy, and upon the same strict business principles, freight and passenger rates might both be made still lower and stockholders still be guaranteed a satisfactory dividend upon their investment.

And yet, notwithstanding this fact, I am willing, for the purpose of this argument, to accept the conditions of the railroads in this country as they actually are, not as we would like them to be; and taking Mr. Fish's own figures, on page 14 of his statement, we find the total liabilities of all the roads, including capital stock, funded debt, etc., amount to \$11,615,740,145, and if 6 per cent could be paid annually upon this entire capitalization I have no doubt Mr. Fish and every other railroad man would be supremely happy. Six per cent on this sum would equal \$697,044,408. The gross earnings last year from freight at an average rate of 0.783 cent per ton per mile were, as per page V, Poor's Railroad Manual for 1898, \$780,351,939; so that if the freight rate had been doubled the gross earnings from freight would also have been exactly doubled, and the railroads have earned nearly 7 per cent net upon their total capitalization of \$11,615,740,145.

In computing the tonnage of mail upon the freight-rate basis, I will therefore add 100 per cent to the regular freight rates, and as this rate would pay generous dividends to all railroad shareholders, I assume it will be recognized that Mr. Fish's claim has been amply met and most generously conceded. This change in freight rates therefore increases the charge for the mail and mail-clerk tonnage to \$1,566,949.16, and to this sum should be added the increased cost of hauling 100,000,007 tons of mail matter 1 mile over the cost of hauling 100,000,007 tons of miscellaneous freight 1 mile.

This brings us to the second proposition—of analyzing the points of similarity and dissimilarity between the carrying of mail matter and the carrying of passengers, and their relative costs.

POINTS OF SIMILARITY.

1. Both are drawn by the same locomotives and in the same trains.
2. The cars conveying both are heated, lighted, cleaned, and supplied with water.
3. In both cases the railroads are liable for injury to individuals.

POINTS OF DIFFERENCE.

1. Great expense is incurred to secure passenger traffic by reason of advertising, outside agents, etc., this amount, according to the last census report, having been in one year \$14,754,699.37. While part of this expense is properly chargeable to freight, no part is chargeable to the hauling of mail, as the contract for hauling the mail is secured and maintained without cost to the company.
2. In 1890, 498,070,093 separate passengers were carried involving the sale and auditing of that many tickets, and in conjunction with the details of freight transportation utilizing a force of officers, clerks, and supplies which cost, in 1890, \$25,842,667.30. Only an insignificant part of this expense is properly chargeable to mails.
3. Large and expensive terminal stations are required to accommodate the many thousand individual passengers, while only a very small space is required for trucking the mail between the cars and mail wagons. The total cost of repairs and renewals to buildings in 1890 was \$12,614,347.36, and the cost of passenger-station supplies \$2,435,280.51, and the cost of freight-station supplies \$3,083,517.42.
4. In 1890, 23,513 railroad conductors were employed, whose time is consumed very largely in collecting the fares and supervising the passengers. They apparently perform no special service for the mail car.
5. In 1890, \$26,020,419.52 was expended for passenger agent and station service and \$62,113,781 for freight agent and station service. While the station agents generally perform no special service for the mail, in 20,000 small towns where the post-office is not more than 80 rods distant (and in many cases it is within a few feet) the station master calls for and delivers the mail, or has it called for and delivered.
6. Passengers in leaving the train require no assistance from railroad employees; but the mail is piled upon trucks and conveyed between mail wagons and mail cars by railroad employees.
7. Modern passenger cars are fitted up very luxuriously, and

estimated to cost from \$2,500 to \$7,000. Mail compartment cars are similar to a baggage or express car, but fitted up inside with racks, boxes, cases, etc. The cost of the entire car does not exceed \$2,500, and the same cost is quoted for a full postal car, although the cost of the largest and most improved post-office car is claimed to exceed \$5,000.

Passenger cars, because of their upholstery and fine interiors, require more frequent and thorough cleaning and repairing than mail cars.

Again, I would call upon the railroad experts to make a fair itemized calculation of all the above differences, for the purpose of ascertaining how much less costly to the railroads is the carrying of one ton of mail per mile than the cost of carrying one ton of passengers per mile, and then deduct this sum from the amount which the railroads now receive per ton for the carrying of passengers.

COST PER TON OF CARRYING PASSENGERS.

On page v, Poor's Railroad Manual for 1898, the passengers, mileage is given as 12,494,958,000, which, if computed at my own conservative estimate of 200 pounds per passenger and baggage, would make the tonnage 1,249,495,800 tons per mile.

But Mr. Spencer, on page 48 of his testimony, quotes 250 pounds as the average weight per passenger and baggage, which would make 1,611,869,750 tons per mile.

For the above tonnage of passengers and baggage the companies received \$253,557,930.

Upon my former estimate of 200 pounds per passenger and baggage, this would make 20.29 cents for hauling 1 ton of passengers 1 mile; but according to Mr. Spencer's estimate of 250 pounds each, the rate would be only 15.73 cents for hauling 1 ton of passengers 1 mile.

TOTAL COST OF CARRYING MAIL AND MAIL CLERKS AT FULL PASSENGER RATE.

The combined weight of mail and mail clerks being 100,060,607 tons, we find the total cost, computed at the full passenger rate, according to my former estimate, would be \$20,302,297.16, while the total cost according to Mr. Spencer's estimate of the weight of passengers and baggage would be only \$15,739,533.48.

What amount should be deducted from the above figures because of the hauling of mail being exempt, or largely exempt, from the expenses of advertising, outside agents, ticket agents, auditors, office supplies, elaborate stations, station service, conductors, etc., I will leave for railroad experts to figure out, and will content myself for the present with directing attention to the very serious and significant fact that the amount which the Government is now paying for the hauling of mail and mail clerks is \$34,754,742.69, while the same weight, computed at the supposed costly passenger rate, would be only \$20,302,297.16 according to one estimate, and only \$15,739,533.48 according to President Spencer's estimate.

I have nothing more to say upon this part of the question, as nothing could be said which would be nearly as strong as the bare facts themselves.

This brings me to the question of how much greater is the cost of hauling mail in a post-office car than in an ordinary compartment car.

I have already said considerable about post-office cars, so that I need take up but very little of your time in reaching a conclusion.

I had read so much entertaining testimony regarding the wonderful construction of a post-office car that I confess having partly succumbed to the hypnotic influence with which this subject appeared to be continually surrounded, until I finally sought and received official permission from the Department to enter one or more of these wonderful cars and gaze with my own eyes upon their interior construction. I entered the car and saw the lights, and felt the heat, and saw the racks for holding the sacks and pouches of mail, the wooden boxes, the wooden cases, and, in fact, everything that had previously been described as a fixture in a post-office car. It was planned, not for ornamental purposes, but constructed plainly and substantially for strict business purposes, just as the shipping office would be of a well-regulated mercantile house.

After seeing as much as I desired of the car which rents for \$6,250 a year and carries an average of 2 tons of mail, I next visited a 30-foot compartment car, which is one-half the length of a full car and carries about one-half the weight of mail of a full post-office car, but for which there is no rental. To my surprise I found in this compartment car, for which no extra rent was being paid, the lights, the heat, the racks, the boxes, and the cases which had always been spoken of with so much reverence as a wonderful feature in the construction of a post-office car.

I then visited a 20-foot compartment car, which is one-third the length of a full car and which carries an average weight of mail not exceeding one-third the full capacity, and more probably not

more than one-eighth the capacity, of a full car, or an average of 500 pounds, and again I was confronted with light, heat, racks, boxes, and cases, and yet no extra rent was paid for this car.

But there was one distinctive feature which the full post-office car possessed which I think was not to be found in the other cars, and that was a double tank, one part of which contained ice water and the other part hot water. The cost of the hot-water tank may have been between \$10 and \$20, and this was the principal difference in the interior of the post-office cars and the 30-foot compartment car and the post-office car for which \$6,250 per year extra is being paid.

But you may have noticed my great appreciation of the strength of plain facts and figures, and I concluded that the most effective presentation I could make of the real facts in regard to postal cars was to bring to you the three different postal cars themselves. Here they are, made from the photographs taken in the presence of a postal official and myself.

They effectively tell most of the story.

I have secured cuts of the same in order that they may be printed with this address.

It is claimed that the very modern post-office car is extremely heavy, weighing nearly 40 tons, and carrying only an average of 2 tons of mail. This may be true of a very few of the latest cars built, but is it true of the 827 cars, many of which have been in service many years? And where it is true, does it not simply mean that so many more pounds of coal are being consumed by the locomotive to draw the greater weight of the car, and that the difference in the money investment on these two styles of cars will at 6 per cent not exceed \$150 a year.

With these pictures in your possession I think you will strongly appreciate the logic of one of the two following propositions:

1. If it is equitable for the Government to pay \$6,250 rental each year for a 60-foot car carrying 2 tons of mail, should not the Government also pay a rental of \$3,125 for a 30-foot compartment car carrying 1 ton or less of mail, and a rental of \$2,083.33 for a 20-foot compartment car carrying one-third or less of the 60-foot capacity?

2. If it is equitable not to pay rental for a 20-foot or 30-foot postal compartment car, why should any rental be paid for a 60-foot car unless the cost and weight are proportionally greater than a 30-foot or 20-foot compartment car? And if the cost and weight are proportionally greater, should there be any greater additional charge than will pay the difference upon the investment and the cost of additional locomotive fuel?

On page 44, Lehigh Valley Railroad report for 1898, will be found the estimate that 20.4 pounds of locomotive fuel draws a passenger car 1 mile; and you will also find that the total cost of fuel, oil, and waste, other supplies, water supply, engineers and firemen, engine-house men, and repairs and renewals for hauling 1 ton 1,000 miles or 1,000 tons 1 mile is the almost incredibly insignificant sum of 1.206 cents; but I am free to say, however, that the amount appears to be so low as to suggest the probability of an error.

ANALYSIS OF MR. SPENCER'S ADDRESS.

I come now to the address of Mr. Samuel Spencer, president of the Southern Railway Company, delivered before your commission last December.

I first wish to compliment Mr. Spencer upon the very concise form, and also the very fair and logical spirit, in which that celebrated address appears to have been written.

On the surface the force and logic of his arguments appear almost unanswerable, but as we proceed you will again be reminded of my former statement, that most of the arguments of the railroad representatives are either of a "descriptive, sentimental, or local character."

Mr. Spencer quotes, and I assume quotes truthfully, the figures bearing upon the hauling of mail over his particular road. I take the ground that the hauling of mail is a national enterprise, which includes not only Mr. Spencer's road, but every other road in the United States. I therefore base my calculations not only upon the average result of one particular road, but upon the combined average of all roads. I will not consume any time in demonstrating the greater accuracy of my basis of reckoning, because this will be apparent to everyone familiar with large operations involving innumerable details and many varying conditions.

In the second place, Mr. Spencer lays great stress upon his comparisons between express rates and mail rates, while on the other hand I think it will be generally conceded that as the express business is in most cases a private monopoly whose statistics it is impracticable to secure, except such fragments as the railroads choose to give us to strengthen their own arguments, comparisons between mail and express service are comparatively unimportant and misleading, particularly when we can secure definite and unquestioned statistics concerning the hauling of freight, which is the cheapest form of service, and the hauling of passengers, which represents the most costly form of service.

With this brief introduction I will endeavor to analyze Mr.

Spencer's first proposition, which relates specifically to the comparison of the conditions between handling mail and express.

For the reasons just given I will consume no time in commenting upon the express business, but I will nevertheless analyze the points which he makes in regard to the apparently great cost of hauling mail.

First. The first point is the

CHARACTER OF EQUIPMENT FURNISHED.

An elaborate and detailed description is given of the latest and largest railway post-office car, the cost of which is claimed to exceed \$5,000.

My answer to this is very brief. The actual money value (not the "descriptive nor sentimental" value) is fully represented in its money cost of \$5,000, the annual interest upon which, at 6 per cent, would be \$300, and the annual repairs and renewals of which would not exceed, and in all probability would not reach, the cost of repairs and renewals to a passenger car.

Second. The second point is the—

RELATIVE AMOUNT OF SUCH EQUIPMENT REQUIRED, AND HOW USED.

1. It is claimed that a number of postal cars must be kept in reserve for contingencies, and that they can not be used for other purposes.

I will answer this point by the following simple question: Can dining cars, sleeping cars, parlor cars, observation cars, baggage cars, refrigerator cars, live-stock cars, coal cars, lumber cars, oil cars, or any other distinctive form of car, be utilized for service totally different from the purpose for which they are built?

As to the percentage of empty cars, I will ask another question: Does the percentage of unused or empty mail cars exceed the percentage of unused or empty passenger or freight cars? Are the fluctuations in the volume of the mail business greater than the fluctuations in the volume of passenger traffic, in which reserve cars must be kept for special events, such as fairs, expositions, conventions, summer excursions, etc., or are the fluctuations any greater than those in the hauling of freight, in which provision must be made at certain seasons for the rapid movement of grain, fruits, and vegetables?

By referring to the compendium of statistics you will find that on the Lehigh Valley Railroad in a freight train consisting of 34 cars there are on an average only 23 loaded cars and 12 empty cars, or a trifle over one-third of empties, to say nothing of those held in reserve. On page 40 you will find an average of 4½ passenger and of baggage, mail, and express cars to each passenger train, but an average number of only 30½ passengers to each train, while only 75 per cent of the cars are supposed to be in daily use.

It is true the above figures relate to only a single road, and I quote them at random simply because I was unable to get the average of all the roads. It is probable that the percentage of empty and reserve freight and passenger cars did not occur to Mr. Spencer when he tried to make that a strong point in regard to postal cars.

Second. Mr. Spencer's second point in this connection is that post-office cars are placed at certain terminal stations in specified positions prior to departure and after arrival, and are used practically as temporary post-offices; also that they are frequently lighted and heated while in this stationary position.

In making the above point I assume that Mr. Spencer did not seriously contemplate charging up the proportionate value of a post-office building located on Chestnut street or Broadway at a specific price per minute or hour, especially as the car would be obliged to occupy the same track space at some point on the tracks, but he probably meant that the cost of laying and maintaining this short piece of track, and the actual cost of the extra illuminating oil for lighting and the extra coal for heating should be charged to the hauling of mail, and in this I concur.

Third. Mr. Spencer's third point is the—

EXTRA SERVICES REQUIRED OF RAILWAY COMPANIES IN CONNECTION WITH MAIL TRANSPORTATION.

1. The delivery and collection of the mail by the station agent where the post-office is not more than 80 rods distant. This certainly should be allowed if its equivalent is not found in some other service rendered by the Government. But this feature should be treated on a strict business basis. You will notice that the maximum distance is 80 rods, but what is the average distance? In some cases the post-office and railroad station are in the same building and the station master is also postmaster. In other cases the post-office is next door or immediately opposite the station. If the average distance were one block (and my belief is that the average distance is less), and an average of three collections and three deliveries were made daily, that would represent the time required to walk 12 blocks per day for each station master. How many minutes are required to walk 12 blocks, and what is the average pay per hour of the station master?

Mr. Spencer states that the service cost the road \$68,760, but I assume that he means the value of the time consumed was the

equivalent of that amount, for I have not been able to find any cases where the station master was paid any extra amount to perform this special service, although free railroad passes are sometimes given to the postmaster for performing the service. However, an equitable amount should be allowed, although we will probably find it interesting to analyze the details of Mr. Spencer's sum of \$68,760. But before we leave this subject, about which so much capital has been made, let me ask this practical question: How would the total number of hours consumed by the station masters in 20,000 small towns in transferring the mail six times a day compare with the total number of hours consumed by the mail clerks in loading and unloading all the mail within the 3,489 cars on their endless journey of 173,256 miles, and for which service the railroad companies would furnish their own porters if the same matter was shipped as freight or baggage?

The second point in this proposition is that the mail must be sent on the fastest trains. How much extra does this cost? Do the post-office authorities actually force the roads to increase the speed of their passenger trains or merely require them to carry the mail on trains whose speed has already been increased by reason of the constantly improved facilities which all railroads feel obliged to offer in their passenger service? I am aware that the speed of some trains has been increased at the direction of the postal authorities, but in the post-office expenditures you will find the snug item of \$195,722.50, which some keen observers think is a rather generous subsidy to those roads that do not appear to possess the natural ambition or capacity to elevate their passenger service to the higher standard adopted by up-to-date railroads without the aid of similar subsidies.

In fact, I notice that Mr. Spencer's own road comes in for a pretty good slice of the subsidy, for on page 15 he quotes \$80,950 as the amount received for "special fast-train service," which is the equivalent of "regular" train service upon many other roads who do not receive one dollar of additional pay.

The third point is that railway mail clerks are carried free; but I have already allowed for this by computing the entire mileage as quoted by a railroad official and added their total tonnage to the regular mail tonnage.

But there is another side to this question which is somewhat amusing, and I have no doubt that our railroad friends have had many a quiet laugh to themselves over the seriousness with which this matter of figuring up the mileage of mail clerks at passenger rates has been received and considered. The absurdity of the proposition becomes somewhat apparent when we reflect that not one of the numerous expenses connected with securing, maintaining, or managing passenger traffic have the remotest connection with the hauling of these mail clerks, who, as a matter of fact, represent so much additional weight to the mail compartment of the cars, the hauling of which means the consumption of a few additional pounds of fuel by the locomotive and the liability of the company in the case of injury.

But this feature becomes still more ludicrous when we bear in mind the fact that a railway mail clerk, although receiving no compensation from the railroad companies, is nevertheless partially a railroad clerk or baggage master, for he performs all the work of loading and unloading the mail in the interior of the car, and in some cases outside of the car—a service which, in the case of both freight and baggage, is performed exclusively by the railroad employees. I doubt if Mr. Spencer, in computing the expense of hauling passengers, ever included the mileage of the baggage masters, conductors, and brakemen at 2 cents per passenger mile; and yet you will bear in mind that, in my comparison between mail and passenger rates, I have generously allowed the actual tonnage and mileage of the mail clerks at Mr. Spencer's own computation. In doing this, however, I wish to put myself upon record as being fully conscious of the grotesqueness of the situation.

The fourth point in this proposition is that the railway company provides, at junction points, exclusive rooms for handling mail, and at many stations furnishes the labor for loading and unloading the mails to and from the trains. You will notice that the latter service is performed at many stations, but in the hauling of freight at 0.783 cent per ton per mile this service is performed at every station. As to the storage room, it is only necessary to mention the immense warehouses furnished by the railroads for the storage of freight and the magnificent waiting rooms furnished for the accommodation of passengers to remind us that, by comparison, this special accommodation so entertainingly described probably represents less cost than similar accommodations for freight and passenger traffic.

Fourth. The fourth point

RELATES TO RISKS AND LIABILITIES.

and it is shown that in case of injury to mail clerks the company is liable in the same manner as to passengers. This is correct, although the proportion is probably less because of there being less clerks than passengers to a car, but all this is allowed for by

computing the mail tonnage upon the same basis as passenger tonnage. Last year there were 7 mail clerks killed and 180 injured, and 181 passengers killed and 2,873 injured.

But Mr. Spencer probably overlooked at the time the contra side, which is that the railroad company is liable to the passenger for the loss or destruction of his baggage and to the shipper or consignee for the loss or destruction of his freight, but the railroad company is not liable to the Government for the loss or destruction of mail except to the extent of being fined for actual neglect.

Second. Mr. Spencer's second proposition shows while during the past eleven years their passenger rates have decreased only 12.34 per cent and their freight rates decreased 17.06 per cent their mail rates decreased 24.40 per cent. On the surface this seems like an unanswerable argument. But let us inquire why mail rates have decreased 24.40 per cent. Is it not simply because instead of doing a comparatively small retail mail business and being paid regular retail rates, as was the case seven years ago, they now do comparatively a wholesale business and on many of their routes are paid the wholesale rates?

There can be no possible doubt about this, because the only way the Government can legally secure a lower rate per ton per mile is to supply the railroad with a greater tonnage of mail to haul. But the lower the rate the more profitable it is to the railroads, for it necessarily represents increased business, and the increased earnings which follow the hauling of more mail matter represents but little increased expense beyond the cost and repairs of the larger cars and the slightly increased cost of locomotive fuel. In 1891 the mail earnings of the Southern Railway Company were \$689,646, and in 1898, \$1,194,449; how much increased expense could be properly charged against the increased earning of \$507,803?

But do not overlook this very significant fact: The reduction in the average mail rates was due exclusively to the hauling of the mail in much larger or in wholesale quantities, but the reduction in passenger and freight rates was not due to the greater volume of business which each customer offered, but was wholly due to the general reduction in freight and passenger rates which have taken place all over the country, and which are the direct results of decreased cost of operation. For proof of this I will refer you to the compendium, which shows that while the efficiency of one man in 1880 conducted the transportation of 1,578 tons of freight, his efficiency had increased in 1890 to 1,955 tons, and in the passenger department it shows an increase of efficiency in carrying 1,532 passengers in 1890, as against 1,462 in 1880. And you will also find that the cost of steel rails decreased from \$120.12 per ton in 1867 to \$28 per ton in 1896.

And you will also find that in 1867 only 80 tons of freight were carried 1 mile by a freight train, while in 1896 198 tons were carried; and you will further find that although the freight rate on one branch of the Pennsylvania Railroad showed a decrease in one year of 0.28 of a cent per ton per mile, the net profit increased to the extent of 0.12 of a cent. Do not let us overlook the significance of these facts, for I believe they represent the basic principle of the future sovereignty of American manufactures. Our ability to accomplish more and more by the labor of one individual means that high and profitable wages may be paid, and yet low and profitable prices quoted for the product because of the greater efficiency and, perhaps, at the same time, greater comfort of the workman.

But when it comes to mail rates you will find that not one iota of difference has been made because of the decreased cost of transportation per ton per mile, and this is clearly demonstrated by the simple fact that if the Southern Railway Company had not carried any larger quantity of mail for the Government in 1898 than it did seven years ago its average rate would be just as high to-day as it was then; while on the other hand, although it probably carries no more freight for the average customer, nor carries the average passenger any farther than was done seven years ago, a reduction in rate is nevertheless made in the one instance of 12 per cent, and in the other instance of 17 per cent.

Third. The third proposition relates to quadrennial weighings, which method, it is claimed, requires more weight to be carried than is actually paid for.

I wish to say that I heartily indorse Mr. Spencer's objection to quadrennial weighings. The Government should not ship a ton of mail and pay for only eight-tenths or nine-tenths of that amount. That is not square. It is not honest. And my experience in life leads me to believe that in the great majority of instances when either buyer or seller firmly believes that he is being taken advantage of, he is very apt to try to get square with the other party if a favorable opportunity is presented. I need not tell how this is done in commercial affairs, for we all know some instances of this kind. And what do we find with the railroads?

I can not answer for Mr. Spencer's road, nor for other roads whose standing is high; but if you will get Senate Document No. 177, Fifty-fourth Congress, second session, and read the testimony

of the postal officials in regard to the flagrant padding of the mails during the weighing period of one particular road, you will appreciate the full force of my hint that as a rule one party will try to get square with the other if he feels that he is not being fairly treated.

And as you read the testimony you may experience a peculiar mental sensation at learning that after this particularly flagrant instance of "padding" had been exposed and a reweighing ordered, the "padding" was accomplished a second time by having many thousand newspapers mailed, during the weighing period, to addresses furnished and paid for by the railroad company; but you may be still further surprised to find that the justice of "padding" the mail (probably to make up for the quadrennial weighing) was so deep seated in the officials of this particular railroad that after the Department made what they believed to be a correct estimate of the weight, the company repudiated this estimate and insisted, through their legal representatives, upon receiving pay based upon the weight as computed during the period of fraudulent weighing.

To what extent the padding of mails is carried on I am unable to say. Former Postmaster-General Wilson, on March 2, 1897, wrote that it could not be done without the Department quickly detecting it; but from the efforts, and I might add significant efforts, of the Department to secure legislation which will legally provide for the criminal prosecution of those found guilty of this fraud, we are forced to the conclusion that the padding, or attempt at padding, of the mails is not confined to a single road.

But there is, however, another side to this question: Suppose a large shipper of grain, or a large club of passengers, would agree to pay for four years a uniform rate per day for transportation service, regardless of the fluctuating periods of briskness and dullness, and in which case the railroad company would be assured of the money during the entire four years, without expending a dollar to secure and maintain that uniform daily business, what concession would probably be made to that customer, particularly if the earnings from his business amounted to \$1,194,449 per year? I hope Mr. Spencer will answer that question upon the confidential basis of rate which is secured by Armour & Co. and other large shippers.

Fourth. The fourth proposition of Mr. Spencer's is very important, as it quotes the number of tons of dead load to each ton of paying load, as follows: Freight, 1.5 tons of dead load to each ton of paying load; mail, 15.3 tons of dead load to each ton of paying load; passenger, 31.7 tons of dead load to each ton of paying load.

The above figures are very important, as they disclose the main reason why the cost of hauling mail is greater than the cost of hauling freight.

You will notice that the "dead load" is about ten times greater in hauling mail than in hauling freight, but, on the other hand, is 50 per cent less than the "dead load" required to haul passengers. Consequently, if we multiply the average freight rate ten times, or deduct 50 per cent from passenger rates, we can calculate the entire cost of hauling the mail from this base of calculations which Mr. Spencer has kindly furnished.

Estimate of total cost of mail upon the "dead-load" basis.

100,000,007 tons of mail and mail clerks at the average rate of miscellaneous freight (0.783) \$783,474.63.	Ten times above amount to allow for "dead load" would be.....	\$7,834,744.63
100,000,007 tons of mail and mail clerks at the "fanciful" freight rate of 1.566 cents to allow for payment of an additional 7 per cent on entire railroad capitalization, \$1,566,949.16.	Ten times above amount to allow for "dead load" would be.....	15,669,491.60
100,000,007 tons of mail and mail clerks at passenger rates, allowing 200 pounds for each passenger and baggage, at 20.29 cents would be \$20,302,297.16.	Fifty per cent reduction upon the above to allow for "dead load" would give.....	10,151,143.58
100,000,007 tons of mail and mail clerks at passenger rates, allowing President Spencer's estimate of 250 pounds for each passenger and baggage, at 15.73 cents, would be \$15,739,533.43.	Fifty per cent reduction upon the above to allow for "dead load" would be.....	7,869,766.74

The above figures are peculiarly significant because the "dead-load" method gives us the calculation made from Mr. Spencer's passenger rate at almost exactly the same sum as from the miscellaneous freight rate, both amounts being less than \$8,000,000 for service for which the Government now pays over \$34,000,000.

But while the "dead-load" plan of calculating is useful in suggesting approximate values, it should not be regarded as a final or scientific solution of this problem, for if you refer to the compendium you will find that the operating expenses of the combined railroads are divided and subdivided into about 48 specific details. One of these details is cost of repairs and renewals of cars, and a second item is cost of locomotive fuel, and when you analyze this question closely I think you will find that the increased cost of the "dead-load" feature affects mainly these two items, and, although slightly affecting the cost of maintenance of way and structures, practically increases none of the numerous items which go toward making up the total operating expenses

of the railroads. I feel quite competent to satisfactorily demonstrate this point should it ever be questioned.

Fifth. Mr. Spencer's fifth proposition compares the earnings from mail service with the earnings from express service, which I will not discuss for the reasons already given.

Sixth. Mr. Spencer's sixth proposition compares the transportation rates for carrying 100 pounds 100 miles for mail, express, and freight, and I regret being forced to say that in this instance Mr. Spencer has not made his comparisons fairly.

For instance, he quotes 28 cents as the rate received for the weight of mail actually hauled, or 32 cents upon the basis of the quadrennial weighings, and then quotes 52.3 cents per 100 pounds per 100 miles as the average rate received by the Southern Railway Company for hauling first-class freight.

The unfairness is seen at a glance when referring to his paper. He quotes their regular retail rate for shipping a single 100-pound package in order to show a high rate for freight, but takes the average rate received for hauling 19,677,092,000 pounds of mail to show a comparatively low rate for mail.

Did Mr. Spencer forget that on page 40 of his own pamphlet he shows that the Government rate for carrying the retail quantity of 200 pounds per day is \$5.85 per 100 pounds per 100 miles as against his alleged average of 28 cents?

Mr. Spencer's quotation for first-class freight is 52.3 cents per 100 pounds per 100 miles, or \$10.46 per ton per 100 miles, but does Mr. Spencer not know that Poor's Railroad Manual quotes only 78.3 as the average rate for hauling 1 ton of miscellaneous freight 100 miles?

I sincerely regret the above unfair comparison was offered, as it is not in harmony with the apparently fair spirit shown in Mr. Spencer's other propositions, and it naturally awakens some doubt as to the fairness and strict accuracy of other figures which I have accepted without question.

Seventh and eighth. Propositions 7 and 8 show a comparison between the earnings per cubic foot and the net income derived from mail service and express service, and consequently is not sufficiently relevant to the subject to warrant discussion.

Having thus completed my programme, I wish to say in conclusion that I have no desire to antagonize the railroads or to unnecessarily pry into their affairs or to cause friction between them and the Government and the people.

All three are in a position to be of valuable reciprocal service to the other, and all should be actuated by a desire to extend their usefulness to the others in the highest possible degree.

But you have before you a very grave condition which you can not ignore. Unless the statistical evidence presented to-day can be satisfactorily refuted, it seems to me that you can not do otherwise than to recommend the lowering of the rate of compensation to the railroads for hauling mail matter; and yet, on the other hand, I would not advocate an extremely radical change at this time.

You have the figures based upon passenger service and the figures based upon freight service.

You may know, and the railroad companies may know, what rate would be strictly equitable for hauling mail when passenger rates are less than one-half and freight rates are only one-fourth the cost of mail rates. I prefer that you and they make the calculation. But if the railroads would of themselves voluntarily agree upon a reduction of 25 per cent I think the people would demand nothing more at this time, and this saving would wipe out the deficit in the Department and clear the way for the reduction of 2-cent letter postage, which now yields the Department 93 cents a pound, or \$1,860 per ton per mile, to 1 cent, which would still yield the Department a handsome profit, and which, in view of the rapidly increased business which heretofore has followed a reduction in the rate of letter postage, warrants the expectation that within a reasonable time the net profit to the Government on 1-cent letter postage will equal or exceed the present profit on 2-cent letter postage.

Then, again, there is the question of a cheap parcels-post system, which, if inaugurated in this country, either in conjunction with mail trains or possibly even freight trains, would greatly increase the business of the railroads and greatly increase the facilities of the people.

I fear that we fail to fully appreciate the mighty power and influence of cheap transportation facilities in stimulating exchanges and in creating new business. How much, or rather how little, business would be done by the railroads if their service of transportation were limited solely to the bare necessities of the people? But the low rates of freight are one of the direct causes of shipping the natural products of the Pacific slope to the warehouses and shops of Philadelphia and New York, while the manufactured products of the East find their way into the remotest parts of the South and West.

And the lower the rate for freight service the lower the rate for passenger service, and the lower the rate for mail service the

more rapidly and vigorously will the lifeblood flow through the great arteries of our national commercial system, repairing the wastes of disordered industries and developing that sturdy and healthful growth which will insure the steady and profitable employment of our people.

I regard the Post-Office Department of to-day as being only in the infancy of its usefulness. Its power for creating intellectual and commercial activity, through the medium of very cheap postage and very convenient facilities, should not be lightly treated.

With the unparalleled natural resources of this great land; with the vigorous moral stamina of our people; with that remarkably keen faculty of inventing and the corresponding valuable faculty of promptly adopting improved inventions; and with our recent sudden awakening to the great commercial possibilities which lie before us, not only in Cuba, Porto Rico, and the Philippines, but in every part of the world where our manufactured products can be utilized; in view of all these conditions, I firmly believe that if we but use to the highest degree every opportunity which our environment gives us we will soon begin the march which will end in the triumph of American commerce and American thought in many parts of the globe; and the cheapening of our postal rates and the increase in its facilities is bound to contribute an important part toward this end; and if to-day's discussion brings us but a single step nearer to an equitable solution of this problem I will feel richly rewarded for my time and labor, and I trust you will feel equally repaid for your patience and kind consideration.

I thank you most heartily for your attention.

Compendium of railroad statistics, from census report on transportation, 1890.

	Amount.	Per cent of operating expense.	Per cent of earnings.
Total operating expenses (page 12) . . .	\$705,914,954.87	100	65.72
Maintenance of way and structure (page 12):			
Repairs of roadway	76,806,925.82	10.89	7.15
Renewals of rails	9,198,081.76	1.30	.86
Renewals of ties	18,152,028.83	2.57	1.60
Repairs of bridges and culverts	19,623,351.80	2.78	1.81
Repairs of fences and crossings	4,233,423.76	.60	.39
Repairs of buildings	12,614,347.36	1.79	1.17
Repairs of telegraph	1,017,062.27	.14	.09
Unsegregated	14,456,694.90	2.05	1.35
Total	156,101,949.62	22.11	14.53
Maintenance of equipments (page 12):			
Repairs and renewals of locomotives (page 12)	41,745,021.96	5.91	3.89
Repairs and renewals of passenger cars (page 205)	16,504,356.91	2.34	1.53
Repairs and renewals of freight cars (page 206)	42,939,756.80	6.08	4
Unsegregated	14,800,365.57	2.10	7.33
Total	115,989,501.24		

Conducting transportation.

	Freight.	Passenger.
Locomotive service	\$42,446,709.55 (Page 207.)	\$19,818,410.18 (Page 206.)
Locomotive fuel	43,218,419.78 (Page 207.)	20,768,004.64 (Page 207.)
Water supply	2,905,921.43 (Page 207.)	1,717,938.37 (Page 207.)
Locomotive supplies	3,115,003.79 (Page 207.)	1,609,801.80 (Page 207.)
Train service	35,326,254.01 (Page 12.)	14,814,555.89 (Page 12.)
Train supplies	4,282,345.93 (Page 12.)	3,664,154.69 (Page 12.)
Car mileage and switching charges, balances, etc	14,935,474.79 (Page 12.)	3,374,343.58 (Page 12.)
Agents and station service	62,113,781.00 (Page 209.)	26,630,419.53 (Page 209.)
Station supplies	3,083,517.42 (Page 209.)	2,435,290.51 (Page 209.)
Loss and damage	4,250,318.18 (Page 209.)	1,547,794.78 (Page 209.)
Injury to persons	2,812,265.28 (Page 209.)	2,620,560.65 (Page 209.)
Other expenses	7,219,691.49 (Page 210.)	2,783,866.07 (Page 209.)
Total	225,808,702.65	102,175,120.68
Unsegregated (\$32,939,958.53)	21,290,642.21	11,730,316.33
Combined total	247,018,344.86 (Page 210.)	113,905,437.00 (Page 210.)

Total combined amount (page 12), \$360,923,781.86.

GENERAL EXPENSES (page 12).

	Amount.	Per cent.	Per cent of earnings.
Salaries, general officers and clerks, including supplies.....	\$25,842,667.30	3.66	2.41
Outside agencies and advertising.....	14,754,690.37	2.09	1.38
Insurance.....	2,291,923.35	.33	.21
Legal expenses.....	4,822,262.37	.68	.45
Stationery and printing.....	5,678,446.40	.81	.53
Other general expenses.....	13,778,294.77	1.95	1.28
Unsegregated.....	5,731,428.59	.81	.53
Total.....	72,809,722.15	10.53	6.79

EARNINGS (page 12).

	Amount.	Per cent.
Passenger:		
Local.....	\$114,005,421.17	42.12
Through.....	43,389,197.17	10.03
All other.....	113,287,042.85	41.85
Total.....	270,682,661.19	25.20
Express.....	20,488,832.78	1.91
Mail.....	23,713,902.30	2.21
Freight:		
Local.....	197,468,611.64	26.88
Through.....	177,593,532.36	24.18
All other.....	366,463,532.81	48.94
Total.....	734,525,726.81	68.38
Other earnings from operation.....	24,693,767.09	2.30
Total.....	1,074,104,550.07	100.00
Total operating expenses.....	705,914,954.87	
Net earnings in excess of operating expenses.....	368,189,595.20	

	Number.	Per 100 miles of line.
Employees (page 9):		
General administration.....	30,361	19
Maintenance of way and structures.....	233,583	149
Maintenance of equipment.....	149,646	96
Conducting transportation.....	336,428	215
Total.....	750,017	479
Classes of employees (page 9):		
General officers.....	5,160	3
General office clerks.....	22,230	14
Station men.....	111,094	71
Engineers.....	33,354	21
Conductors.....	23,513	15
Other train men.....	96,369	61
Machinists.....	27,601	18
Carpenters.....	37,936	24
Other shopmen.....	80,733	52
Track men.....	221,834	142
All others.....	90,215	58
Total.....	750,017	479

	1890.	1880.
Efficiency of 1 man employed in conducting transportation (page 10):		
Tons of freight carried.....	1,955	1,578
Tons of freight carried 1 mile.....	241,634	175,484
Passengers carried (page 12).....	1,532	1,462
Passengers carried 1 mile.....	36,883	31,130

Train mileage (page 502):	
Passenger.....	232,216,059
Freight.....	428,302,712
Mixed.....	30,497,175
Total.....	741,015,946
Switching trains.....	142,130,591
Construction trains.....	36,581,726

Traffic, number of passengers (page 503):	
Local.....	429,852,084
Through.....	68,218,000

Total.....	498,070,083
Total number of passengers carried 1 mile.....	11,902,112,154
Average (calculated) distance of each passenger.....	24.1

Tons of freight:	
Local.....	292,088,500
Through.....	348,363,938
Total.....	640,452,438
Total number of tons carried 1 mile.....	79,172,464,796
Average (calculated) length of haul.....	123.6

	Number.
Locomotives (page 8):	
Freight.....	16,819
Passenger.....	9,183
Switching.....	4,151
Total.....	30,153
Cars in passenger service (page 8):	
Ordinary.....	19,494
Sleeping.....	516
Parlor.....	373
Dining.....	164
Baggage, postal, and express.....	7,106
Total.....	27,653
Cars in freight service (page 8):	
Box.....	408,855
Flat.....	131,679
Stock.....	57,351
Coal.....	354,061
Tank.....	2,056
Refrigerator.....	8,570
Other cars.....	24,597
Total.....	987,109
Cars in company's service.....	32,484
Cars contributed to fast-freight service.....	60,400

Page 8:	
Passengers carried per passenger locomotive.....	56,121
Passenger miles per passenger locomotive.....	1,351,224
Tons carried per freight locomotive.....	39,100
Ton miles per freight locomotive.....	4,833,464
Passenger cars per 1,000,000 passengers carried.....	.54
Freight cars per 1,000,000 tons of freight carried.....	1.501

Page 619:	
Operating expenses per mile of line.....	\$4,400.04
Interest.....	1,351.75
Rentals.....	575.77
Taxes.....	199.10
Dividends.....	516.79
Total (calculated).....	6,993.45

Railroad statistics from Poor's Railroad Manual for 1893.

Page V:	
Miles of railroad operated.....	181,132.70
Tons of freight moved.....	788,385,448.00
Freight mileage.....	97,842,569,150.00
Passengers carried.....	504,106,335.00
Passenger mileage.....	12,494,958,060.00

Earnings from freight.....	\$789,351,639.00
Earnings from passenger.....	253,557,936.00
Earnings from miscellaneous.....	89,636,791.00

Total gross earnings.....	1,123,546,666.00
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Net earnings.....	\$338,170,195.00
Earnings per ton per mile.....	\$0.798

Number of passenger cars.....	25,275
Number of baggage, mail, and express.....	8,133

Number of freight cars.....	33,408
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Total.....	1,202,743
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Page IX, passenger earnings:	
Average receipts per passenger per mile.....cents..	2.029
Average receipts per passenger.....do.....	50.50
Average receipts per passenger-train mile.....do.....	74.04
Average receipts per mile of railroad.....do.....	1.359
Average number of passenger miles per passenger-train miles.....	36.49
Average distance traveled per passenger.....do.....	24.78
Average number of passengers per mile of railroad.....	2.783

Page XI, freight earnings, 1897:	
Length of railroads in operation.....miles..	181,133
Miles run by freight trains.....do.....	500,826,372
Freight carried.....tons.....	788,385,448
Freight movement.....miles.....	97,842,569,150
Gross amount.....	\$789,351,639.00
Average receipts per ton per mile.....cent.....	0.798
Average receipts per ton.....cents.....	98.99
Average receipts per train mile.....do.....	157.77
Average receipts per mile of railroad.....cents.....	84.308
Average number of tons per mile of railroad.....tons.....	4.353
Average number of tons miles per freight-train mile, miles.....	195.56
Average haul per ton.....miles.....	124.22

Page II:	
Liabilities—	
Capital stock.....	\$5,453,782,046
Bonded debt.....	5,411,038,835
Unfunded debt.....	374,389,673
Current accounts.....	302,431,496
Total.....	11,631,711,740

Excess of assets over liabilities.....	290,901,913
Total.....	11,631,613,633

Railroad statistics from Poor's Railroad Manual for 1898—Continued.

Page 11—Continued.

Assets—	
Cost of railroad and equipment.....	\$10,029,151,607
Real estate, stocks, bonds, and other investments.....	1,569,841,062
Other assets.....	222,080,700
Current accounts.....	170,531,284
	11,091,613,653

Page V.—Cost per mile of all roads making returns, as measured by their stocks and bonded indebtedness, equaled \$60,679 for 1897.

Statistics from Railway Economics.

[Published by the Railway World Publishing Company, and written by H. T. Newcomb, L. L. M., chief of the section of freight rates in the Division of Statistics of the United States Department of Agriculture.]

Page 28:

Average rate per ton of freight per mile, measured in gold—	
In 1867.....	1.025
In 1896.....	.806

Page 40:

Average price of steel rails per ton—	
In 1867.....	\$120.12
In 1896.....	28.00

Only 12 per cent of the total trackage remain of iron.

Pages 40, 41:

Average number of tons carried 1 mile per mile run by freight trains—	
In 1867.....	80.77
In 1896.....	198.81

Statistics from annual report Lehigh Valley Railroad for 1898.

Page 30:

Total cost maintenance of ways and structures for 1898.....	\$2,036,050.00
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Segregated cost of—	
Repairs of buildings and fixtures.....	284,033.42
Repairs of docks and wharves.....	95,300.24
	379,333.66

Page 31:

Total cost of conducting transportation for 1898.....	8,242,005.84
Segregated cost of terminal shipping expenses.....	377,609.80

Page 40:

Average receipts per passenger.....	59.51
Average number of cars per passenger train.....	4.35
Average number of passengers per train.....	20.5
Average number of passengers per car.....	12

Page 41:

Average earnings per ton per mile on total tonnage freight, cent.....	.500
Average expenses per ton per mile.....	.316
Average number of freight cars per train.....	34.43
Percentage of loaded cars per train.....	64.20
Percentage (calculated) of empty cars per train.....	35.80
Average number of loaded freight cars in train.....	22.11
Average number of empty freight cars in train.....	12.32

Page 41:

Average train load, revenue freight.....	383.87
Average carload per loaded car.....	18.843

Page 44:

Fuel coal used per mile—	
Passenger locomotive.....	pounds.. 87.7
Freight and coal locomotives.....	do.. 135.5
Shifting and other locomotives.....	do.. 50.2
All services.....	do.. 100.3
Passenger car.....	do.. 20.4
Freight and coal car.....	do.. 6.6

Page 44:

Cost per locomotive mile—	
Fuel.....	cent.. .0654
Oil and waste.....	do.. .0028
Other supplies.....	do.. .0012
Water supply.....	do.. .0037
Engineers and firemen.....	do.. .0544
Engine-house men.....	do.. .0108
Repairs and renewals.....	do.. .0431
	.1812

Cost per car mile:

Fuel.....	do.. .0069
Oil and waste.....	do.. .0002
Other supplies.....	do.. .0001
Water supply.....	do.. .0003
Engineers and firemen.....	do.. .0049
Engine-house men.....	do.. .0010
Repairs and renewals.....	do.. .0039
	.0163

Statistics from the annual report of the Pennsylvania Railroad Company for 1897.

Earnings from transportation of mails:

Page 2: Pennsylvania Railroad division, main line, Philadelphia to Pittsburgh, and branches.....	\$970,002.11
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Page 3: United Railroads of New Jersey division, Philadelphia to New York, Camden to South Amboy, and branches.....	306,217.56
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Page 4: Philadelphia and Erie division, Sunbury to Erie, and branches.....	67,028.48
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Total.....	1,433,988.15
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Rate and profit in transporting freight.

	Average earnings per ton per mile from transportation of freight (1897).	Average cost of transporting each ton of freight 1 mile (1897).	Average profit per ton per mile (1897).	Length of road (1897).
Pennsylvania Railroad division....	Cents. 0.475	Cents. 0.311	Cents. 0.164	Miles. 1,713
United Railroads of New Jersey division.....	1.102	.868	.234	406
Philadelphia and Erie Railroad division.....	.430	.286	.134	508
Lines east of Pittsburgh and Erie..	.536	.360	.167	2,747

The above table shows that the result upon the lines east of Pittsburgh and Erie was a decrease in the earnings per ton per mile of 0.28 mill, a decrease in expense of 0.40 mill, and an increase of 0.12 mill per ton per mile in the net profit from freight.

MISCELLANEOUS RAILROAD STATISTICS COMPILED BY CONGRESSIONAL INFORMATION BUREAU.

The total number of separate freight transactions is estimated for the year 1897 at 743,273,611. (This is computed from the freight-train mileage and the average length of haul as given in Poor's Manual.)

The average price of each freight transaction is \$1.05. (Computed from reports of average shipment and average length of haul and average rate per ton mile.)

The average length of each haul of freight in 1897 was 128.27 miles. (Interstate Commerce statistics of railroads, page 63.)

The average weight of mail matter carried in an ordinary combination mail, baggage, and express car is estimated at half a ton. This estimate is not exact, as on a number of routes the mail that starts from the distributing office will be perhaps 1,000 pounds, and the mail will be all exhausted at way stations before the end of the route is reached. It is impossible to calculate the accurate average upon that account. The amount of mail furnished the cars can be stated, but not the average that is on the car during the trip.

The number of cars in the passenger service in daily use is about 75 per cent.

The number of freight cars in daily use is about 50 per cent.

The average cost of a passenger locomotive on the Southern Railroad is from \$3,000 to \$11,000.

The average cost of a freight locomotive on the same road is from \$8,000 to \$10,000.

The average life of a passenger locomotive on the same railroad is from twenty to twenty-two years.

The average life of a freight locomotive on same railroad is twenty years.

The average weight, including weight of cars, hauled by a passenger locomotive is about 300 tons. (On the very heavy trains fully double this amount is carried. Information furnished by a railroad official.)

The average weight hauled by a freight locomotive is about 600 tons. (Same authority.)

The average speed of a passenger locomotive, including stops, is about 23 miles. (Figured from Rand-McNally's time-tables.)

The average speed of a freight locomotive on regular schedule freights, including stops, is about 10 miles an hour. (Figured from time-tables in different sections of the country.)

The handling of the mail is computed with the other work of an office in affixing the salary of the station agent. There is no direct increase of salary by reason of this duty. (Information furnished by the Interstate Commerce Commission.)

There were 1,700 postal cars furnished by the railroad companies, without charge, of over 16 feet space, and 900 with less than 16 feet space.

The average mail in mail cars is 2 tons. There were 2,587 railroad mail routes, and on 2,332 of them the mail averaged less than 5,000 pounds daily. (CONGRESSIONAL RECORD, volume 31, page 4668.)

The average weight of mail matter for each separate delivery, as computed at the Post-Office Department by request, is about 275 pounds.

The average weight of miscellaneous freight, which we take to mean way freight, is about 200 pounds. This is computed by going through some waybills on the Southern Railroad, and is not accurate. It would differ very greatly on different railroads.

Whatever difficulty there may be in the way of making an accurate comparison between the cost of mail transportation and that of express or freight, there is none whatever in comparing the value of mail service with that of baggage. Baggage is hauled upon the same trains as mail, the cars are required to be heated and lighted, the railroad company is liable as to baggage delayed,

storage rooms have to be provided for it, and it has to be transferred free of charge at all junction points. The only difference between the transportation of mail and baggage is that the railroad companies in the case of mail have no expense of handling, while in the case of baggage they have all of the expense of handling. In the case of mail the railroad companies are not liable for loss or damage, while in the case of baggage they are liable for all such losses.

In the case of mail the railroad companies do not have to keep up a department to carry on its transportation, while in the case of baggage they have to keep up an expensive department and a complicated system of accounts and books. Railroad companies carry free of charge for each passenger 150 pounds of baggage. The average length of mail haul is 442 miles and the average cost 8 cents a pound. The average receipts from passengers (Poor's Railroad Manual, page 9) are 2.02 cents. The railroad company for hauling 150 pounds of mail 442 miles receives \$12; for hauling 150 pounds of baggage \$8.07 and haul the passenger free of charge. They throw in a passenger with 150 pounds of baggage and then carry the baggage for two-thirds of the price they charge for the same weight of mail that is not accompanied by a passenger.

Railroad companies have a schedule fixing the value of carrying baggage which differs somewhat on different railroads. The excess baggage rate for 500 miles on the Seaboard Air Line is \$2.10 per 100 pounds. The rate on the Southern Railroad is \$2.65 per 100 pounds for 500 miles. The railroads can afford to pay all of the expenses of handling baggage, storing and transferring it, for \$2 a hundred pounds for 442 miles, while they claim that they do not receive sufficient compensation for transporting mail without expense of handling or storing the same distance for \$8 per 100 pounds.

Mr. BUTLER. Now, I ask that the resolution passed by the National Board of Trade with the committee report accompanying it, which I read in my remarks yesterday afternoon, and this statement, be printed together as one document.

The VICE-PRESIDENT. Is there objection?

Mr. WOLCOTT. It was printed yesterday in the RECORD.

Mr. BUTLER. I want the two combined in one document. It was not ordered printed as a document yesterday, but was simply read as a part of my remarks.

Mr. ALLISON. Every line of that report of the board of trade is in the testimony and will be in the testimony of the commission, and Mr. Acker's statement will be in the record of the commission and now will appear in the CONGRESSIONAL RECORD. It does seem to me that it is an imposition upon the public records here to have the statements printed as a separate document when they are in the RECORD now.

I do not personally care about this matter. There are very many valuable statements made before the commission. These statements are valuable, I agree; but why select these two and print them three times at the public expense? If the Senator thinks that is wise, I shall not make a specific objection in view of what was said yesterday, but I appeal to the good sense of the Senator himself not to impose upon the public records in this way.

Mr. BUTLER. It is very flattering to have the Senator appeal to my good sense, but I must tell him that my good sense and my interest in this question prompt me to make the request. There seems to be so much ignorance on this important question that I do not think we could publish such a valuable paper as this too many times. It is strange that those who have no compunctions of conscience in voting away millions of dollars above a fair price to the railroads in this bill should be so quickly aroused to a sense of economy when only a few dollars are at stake. If the publication of this document a thousand times would secure a proper reduction of railway mail pay, then it would be the best investment the Government has ever made—

Mr. WOLCOTT. All right; there is no objection.

Mr. ALLISON. Let it go, then, if there is no objection.

The VICE-PRESIDENT. The Chair hears no objection, and the order is made to print as a document the statements referred to.

Mr. BUTLER. The other matter to which I referred yesterday I ask permission to add to my remarks in the RECORD, without reading.

The VICE-PRESIDENT. Without objection, it is so ordered.

Mr. BUTLER. Mr. President, I wanted to discuss the frauds that occur in weighing the mails, which causes the Government each year to pay millions of dollars more than it should pay, even at the present high rate. I will put in the RECORD the following article, which sets forth the facts pretty accurately:

WEIGHING THE MAILS.

To the Editor of the New York Times:

The basis of the compensation paid the railroads for transporting the mails is a weighing of them for thirty days on each route, in which weighing all the transportation is calculated in units of the whole route. The average weight for this thirty days settles the commutation to be paid on that route for four years, and so in regular course remains.

This arrangement is a monument of ingenuity to favor the railroads. It

opens wide the door of temptation to two swindles. First, to "stuff the mails" during the thirty days of weighing, so as to make the commutation price for four years as far above the real average as possible. Then, this commutation being settled for four years, the temptation is to encourage to ride outside the mails at a lower rate than in them as much of the matter for which that commutation is intended to pay and as much else as can be got.

The weighing of the mails has been a subject for reproach and ridicule all along. In 1896 the Department tried to make an example of the Seaboard Line—Washington to Atlanta. The grossest stuffing was proved. Tons of public documents under frank were sent South in the mails, to be returned outside the mails and again sent South over and over again, to swell the weights that were to set the pace for four years. The weighing was canceled and a new one ordered, but there was no law to punish the culprits.

One was enacted in 1898. The manager for the railroad was reported in the United States Senate as asking why his road had been singled out for attack when it was well known that all the railroads did the same thing. There is a general impression that the Post-Office is paying transportation on hundreds of tons a day that are not carried. If one-third of the weights paid for were eliminated the deficit of \$9,000,000 would be extinguished. What the proportion of "stuff" in the weighing actually is an outsider can only guess.

Then, the commutation being set for four years, the other part of the swindle comes in play. That is, to give lower prices outside the mails than the Post-Office pays, and so get a second payment on tons the commutation already pays for. New York-Buffalo is down in Table H as 439.52 miles. Disregard the subsidy on the first 5,000 pounds, the railroad gets \$21.37 per ton per mile annually. This is \$26.09 a ton for transportation only. The express carries the same matter, including the handling, at \$10 per ton over the same railroad.

The railroads carried in 1897 more than 780,000,000 tons of freight. I presume the express matter, which the railroads claim is not counted in as freight, foots up many more tons than the mails. If the weighing of this vast quantity of tonnage can be so fairly done that no scandal about it reaches the public ear, certainly the mails also can be weighed daily as they are actually received, and the temptation to stuffing and underbidding removed.

Certain reforms in the Post-Office ought to be immediately made. Weigh the mails daily, as everything else is weighed. Pay no more to the railroads for transportation of mail matter, heavy or light, than other similar service is furnished for. Abolish the six-million swindle on the first 5,000 pounds on every route, and take all second-class matter in and make a monopoly of it, as is already done with first-class matter.

Then there will be no temptation to introduce Loud bills or any other similar measure to drive away the business which, at fair prices and well managed, will swell instead of diminish the revenue of the Department.

S. W. GREEN.

NEW YORK, January 17, 1899.

I also intended to discuss the question of a parcels post, but content myself at this time by putting into the RECORD the following article:

A parcels post—A cent a pound for parcels up to 60 pounds in weight or dimensions 1 pint to a bushel, between all post-offices in the United States—The greatest scheme ever offered to the American people.

[By James L. Cowles, Farmington, Conn.]

A UNITED STATES PARCELS POST.

There is no other business at once so thoroughly organized and so widespread in its ramifications as the post-office. The postal department of a nation reaches every hamlet within its limits with its own officials, and, by its international conventions, it extends throughout the civilized world. A 2-cent stamp carries a letter from any one office to any other within the limits of the greater part of North America, and for 5 cents one may communicate with his friends at the Antipodes.

American book publishers and news agents send their paper-covered books through the mails within the limits of the United States at the rate of 1 cent a pound, and these book parcels may vary in weight anywhere from a pound to a carload, and they all go by express trains. The rest of us may send parcels up to 4 pounds in weight, but we pay 1 cent for 2 ounces, or 8 cents a pound for books; and for ordinary parcels the rate is 1 cent an ounce, 16 cents a pound, or 64 cents for 4 pounds.

The same service is rendered within the limits of Belgium by express trains—parcels, 1 pound to 11, for 16 cents a parcel, delivered at the domicile; and when transported by freight trains the rate is but 10 cents a parcel.

In France the rate is 25 cents a parcel up to 6½ pounds, and 29 cents a parcel for 6½ to 11 pounds, delivered at the domicile.

The imperial parcels post of Germany carries parcels up to 11 pounds, distances up to 10 geographical miles for 6½ cents, and for greater distances, within the limits of the Empire, the rate is but 12½ cents. This business yields to the German post-office a gross revenue of \$12,500,000 a year, and it has proved of wonderful utility to the people. "Under it a single manufacturer in Glogau has shipped at one time to Berlin more than half a carload of hat boxes, all in 12-cent parcels. Again, 313 little boxes of cheese were shipped in the same way from one shipper to one consignee."

"For some fifty days, in 1891, there were daily arrivals of 4,000 to 5,000 baskets of beans, in the form at 11-pound parcels, all of which went to the central market at Berlin. That is to say, some 20 tons of vegetables were received daily from Austria through the mails."

In 1893 the aggregate number of ordinary inland parcels forwarded by the German parcels post was 79,245,700, and the registered parcels numbered 5,410,800, with a declared value of £201,469,800—about a thousand million dollars.

The story of the establishment and growth of the parcels post

of England is especially interesting. A system of posts for the conveyance of royal dispatches had existed in England from the days of Edward IV, but it was left for James I and his ill-fated son Charles I to bring into being a postal department devoted to the general service.

The first rates of postage under the new establishment were fixed at 2d. for a single letter for any distance under 80 miles; 4d. up to 140 miles; 6d. for any longer distances in England, and 8d. to any place in Scotland, all distances being reckoned from London. These rates were lower than those in force when Sir Rowland Hill undertook the reform of the English post-office in 1837, but in 1653 a man of the same family name as the reformer, one John or James Hill, an attorney of York, made up his mind that the public were entitled to a better and still cheaper service, and accordingly he placed relays of horses between York and London and undertook the conveyance of letters and parcels at half the old rates. It is said that he also formed local and limited partnerships in various parts of the Kingdom for the further extension of his plan, which aimed at the establishment of a penny post for England, a 2-penny post for Scotland, and a 4-penny post for Ireland.

But those turbulent times were ill-fitted for the success of such an enterprise.

The attorney's carriers were trampled down by Cromwell's troopers and he barely escaped with his life. Nearly two hundred years were to pass before England was to have a penny post.

A penny post was established in London, however, in 1683, under which letters and parcels, up to a pound in weight, were registered, insured up to £10 (\$50) in value, and conveyed any distance within the limits of the city and its suburbs for a penny, and to any distance within a given 10-mile circuit for 2d.

Deliveries in the busy streets were made as often as six or eight times a day, and as often as four times a day in the outskirts.

In a short time the penny post became a great success. There is good reason, moreover, to believe that for a considerable period parcels of a much greater weight than a pound were carried by the London penny post, for among the complaints made against the manager of the business in the year 1700 it is stated that "He forbids the taking in of any band-boxes (except very small) and all parcels above a pound, which, when they were taken in, did bring in considerable advantage to this office, they being now, at great charge, sent by porters in the city, and coaches and watermen into the country, which formerly went by penny-post messengers much cheaper and more satisfactory."

In 1748 De Foe spoke of the penny post as admirable for the quickness of the transmission of letters and parcels.

The franking of letters by members of Parliament, both Lords and Commons, began almost with the birth of the post-office, and some very curious packages were franked by the postal authorities. Thus, for instance, in the packet service, 15 hounds were sent to the King of the Romans with a free pass; 2 maid servants were passed as laundresses to my Lord Ambassador Methuen; and again we read of a certain Dr. Crichton traveling on a post-office frank and carrying with him a cow and other necessities.

But Queen Anne must have put a very practical stop to this business when, in 1705, she issued a warrant to the effect that henceforth franked letters and parcels must not exceed 2 ounces in weight, and the transmission of all parcels by the post-office must have come to an end in the thirty-fourth year of George III, when it was decreed that penny posts might be set up in the other towns of England on the same basis as the London establishment, but that the weight of any package or letter carried either by the London penny post or by any of the new penny posts must not exceed 4 ounces.

It is said that long before 1839 there were over a thousand of these penny posts in the Kingdom; but even at that time no one of the English towns enjoyed a postal-parcels service equal to that of London in 1683. The ordinary postal rates of 1839, moreover, were more than double those of the times of Queen Anne, and the result of the high rates had been to keep the postal revenues at a standstill for twenty years.

A national parcels post formed part of the comprehensive plan of Sir Rowland Hill, but the persistent opposition of the railways prevented its consummation.

In 1839 a committee of the English Society of Arts made a strong report in favor of a parcels post, and their investigations proved that there was much parcels delivery by private carriers at rates of from 1 to 2 cents a pound. Parcels under 7 pounds were carried upwards of 70 miles for 12 cents, and parcels under 28 pounds 39 miles for 16 cents. If such rates were possible for private companies, similar rates were certainly possible for the post-office with its superior facilities. Much stress was laid upon the unaccommodating spirit of the private companies, the difficulty of ascertaining the causes of delay or injury, and especially upon the numberless rates charged, not upon any common scale of weight or service, but upon estimates of the necessities of the

senders and what from the nature of the goods they could be made to pay. But the report of the Society of Arts had little influence on public opinion.

In 1867 the royal commission on railways also reported in favor of extending the sphere of the post-office to cover the transmission of parcels, and some ten years later Mr. Stanley Jevons wrote a most notable paper in its advocacy in the *Contemporary Review*.

Among other things, Mr. Jevons said that he regarded the proposition as an important social reform. Literature would benefit immensely. "The most remote country houses would be as well supplied with Mudie's books as the members of the London Book Society or the dweller near Smith's bookstall. A vast increase would take place in goods distributed directly to consumers. The circulation and utilization of things in general would be quickened."

"It would be hardly possible to overestimate the advantages which would be derived by the community from an all-extensive, well-organized, and moderately cheap parcels post."

Nothing practical, however, was accomplished until Mr. Henry Fawcett became postmaster-general, in 1880, and it was only after two years of most determined effort, and after he had bought off the opposition of the railways by agreeing to give them 55 per cent of the gross receipts from railway-carried parcels for doing hardly one-third of the work, that he succeeded in carrying his bill through Parliament.

The parcels-post bill became law in August, 1882. One year later it came into operation.

And the *Encyclopedia Britannica* of 1885 says that "at the outset it checked railroad abuses, both of overcharge and excessive delays, and in its results it will probably prove a public boon of unexampled magnitude." "The very first movement of the post-office toward the assumption of the parcels business was productive of improvement in the service of the private companies."

"Up to that time," says the *London Spectator*, "the railway companies had affected to despise such petty work. The air they assumed was that of a person conferring a favor who will do the business asked of him when there is no more important business on hand. Such matters as a fixed and low tariff and punctuality of dispatch were quite beneath their notice. All this was changed by Mr. Fawcett's determination to give the public a parcels post. The companies saw that they must mend their ways or hand over the whole business to the post-office."

"The managers put their heads together and, besides exacting very high terms from the Government as the price of allowing the act to pass without opposition, issued a new and low tariff, opened a crowd of new receiving houses, organized a system of collection and delivery, and in every way let the public know that they had turned over a new leaf and meant to give a good service in the future. A corresponding movement took place amongst the private carrying companies, and it is probable that the number of parcels carried outside the post-office was increased fourfold within the last two years."

"The benefits thus conferred could only have been brought about by the agency of the post-office. The only agency that could subject the railways to effectual competition was an institution having already in existence for other purposes a machinery of collection and delivery to all parts of the country."

"We see how at the present moment traders are rising in revolt against the railway companies and are seeking protection at the hands of Parliament against abuses in the carriage of goods. The post has given a much more efficient and, at the same time, more prompt means of protection, in the case of parcels, by entering the field in competition with the companies."

This, from the *Spectator* of August 9, 1884, one year after the parcels post had gone into operation.

Six years later Sir George Findlay, general manager of the London and Northwestern Railway, said, "'The parcels post,' compared with its elder brother, 'the letter post,' is yet in its infancy, but it has, almost at a bound, become one of the great institutions of the country, and has fully justified its conception."

In 1889 the business had increased to 37,000,000 parcels; in 1893 it amounted to over 52,000,000.

Beginning at 3 pence (6 cents) for a 1-pound package, the English rates increase by a penny and a half a pound up to 11 pounds, for which the rate, for any distance in the United Kingdom, is 1s. 6d., or 36 cents.

That these rates might be much lower except for the excessive railway charges is proved by the fact that the Government finds it actually cheaper to do a considerable of its parcels business by stage rather than by railway, and yet the business has become of such importance to the railways that, on some of the lines, special trains are dispatched carrying only the Government mail bags and parcels and traveling at a rate of from 40 to 46 miles an hour, including stops.

A proposition has been lately made in England for an agricultural parcels post, with rates of 12 cents for packages of 14 pounds-

18 cents for 28 pounds, and 25 cents for 56 pounds, these weights corresponding to our peck, half bushel, and bushel measure. The packing case for the largest size would be 2 feet 3 inches long, 2 feet wide, and 18 inches deep. The author of the scheme thinks that if it was adopted it would not be long before there would be a uniform rate of 6 cents for all packages up to 14 pounds, and for packages from 14 to 56 pounds the rate would be but 12 cents.

Whatever else may be said of this proposition, there can be no doubt that its application would be of wonderful advantage to the English people, and to one who has studied the possibilities of cheap transportation by railway and steamer even these low rates appear by no means unreasonable.

Under the International Parcels Post Convention of Vienna, which embraces every country of Europe, with the exception of Great Britain and Russia, and every country of South America, with the exception of Bolivia, Ecuador, Peru, and British Guiana, but of which the United States does not form a part, the limit of weight per parcel is 5 kilograms (11 pounds), and the rate applicable to parcels is composed of the following items.

1. As many times 50 centimes (10 cents) as there are countries through which the parcel passes in territorial transit.

2. If there be any maritime transit for distances not exceeding 500 nautical miles, 25 centimes (5 cents); for distances upward of 500 and not exceeding 1,000 nautical miles, 50 centimes (10 cents); for distances upward of 1,000 and not exceeding 3,000 nautical miles, 1 franc (20 cents); for distances upward of 3,000 and not exceeding 6,000 nautical miles, 2 francs (40 cents); for all distances exceeding 6,000 miles, 3 francs (60 cents).

3. A surtax, varying in different countries from 25 to 75 centimes, or from 5 to 15 cents, per parcel.

Thus, for instance, the rate applicable to a parcel up to the weight of 11 pounds, from Germany for Egypt (which also forms part of the Parcels Post Convention of Vienna), would be composed of the following items: Three times 50 centimes, or 1 franc 50 centimes, for territorial transit through Germany, Switzerland, and Italy; 50 centimes for sea conveyance from Brindisi, Italy, to Alexandria, Egypt, 900 nautical miles, and a surtax of 25 centimes; therefore, in all, 2 francs 25 centimes, or 45 cents, for the conveyance of a 11-pound parcel from any post-office in Germany to any post-office in Egypt.

(The above story of the International Parcels Post was given me by Mr. N. M. Brooks, Superintendent of Foreign Mails for the United States.)

The International Parcels Post business of Germany for the year 1892-93 amounted to over \$76,000,000; of Austria, to nearly \$70,000,000, and of little Switzerland, to over \$30,000,000.

Now, then, I want to have the United States become a member of this great "Association for the Preservation of International Peace, and for the Advancement of International Prosperity," and I want to see the United States Post-Office, our great cooperative express company, our only possible agency for the cheapest, most prompt, and most efficient collection, transportation, and delivery of the products of industry, given its legitimate position in this country.

I want to see the people of the United States provide themselves with a "parcels post," guaranteeing the transportation of parcels, 1 pound to 56 or 60 pounds, corresponding to the dimensions, 1 pint to a bushel, at 1 cent a pound (the rate now charged publishers and news agents for the transportation of paper-covered books, and I trust that our publishers and news agents will help the rest of us to obtain this privilege); and when we have become a part of the International Parcels Post Union, I hope that the penny-a-pound rate may be made to cover the civilized world.

I think, too, that by ordinary transportation agencies the rates might be made a half a cent a pound in parcels of 28 pounds to 200, or from the dimensions of a half a bushel to a barrel.

That such rates are altogether practicable under post-office management is proved by the fact that even now our private express companies, with their half-organized machinery, are carrying parcels at the rate of a dollar a hundred pounds by railroad such distance as New York to Boston, and if you will only give them a large amount of business you will probably get it done for 50 cents a hundred, the rate ordinarily charged by boat. The express rate New York to Chicago is only \$3 a hundred, subject to reduction at the will of the company. The lowest regular rate for the smallest parcel by express, however, is 25 cents between the two nearest stations, double the rate charged by the German post-office for the transportation of an "11-pound parcel" between the two stations most widely separated in the German Empire.

Imagine what a boon such a "parcels post," with rates of a cent a pound by express and a half a cent a pound by ordinary transportation agencies, between all the post-offices in our land would be to our people! What would it not do for the florist, for the market gardener, for the farmer, for the merchant, for the manufacturer, indeed, for every individual and for every class of business?

The one thing that more than all others affects the welfare of

mankind to-day is transportation—transportation on land and sea and lake and river; transportation across customs boundaries and on either side of those boundaries; transportation on foot and on horseback, by bicycle, wagon, and tramcar; transportation by canal boat, sailing ship, steamer, and railway.

The transportation tax is a matter of life and death.

The office of the new "United States parcels post" will be to reduce the transportation tax on parcels (and on very good-sized parcels) to the lowest possible limits, and it will make the tax not only low, but uniform, the same for all persons and for all places within our national boundaries. It will tend to make the whole United States one great city, within which our various transportation agencies will move to and fro like a weaver's shuttle, weaving a web of ever-increasing concord and prosperity.

JAMES L. COWLES.

FARMINGTON, CONN., August 24, 1894.

Eulogy on the Late Nelson Dingley.

REMARKS

OF

HON. DANIEL ERMENTROUT,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 17, 1890.

On the following resolutions—

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. NELSON DINGLEY, late a member of the House of Representatives from the State of Maine.

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. ERMENTROUT said:

Mr. SPEAKER: They who pay honor to the memory of our late colleague, NELSON DINGLEY, pay honor to our whole country, to its institutions, and to its manhood. To have the opportunity to do so is a great privilege indeed. In view of the fitting and impressive orations delivered by able and eloquent statesmen who have addressed you compassing his entire life, I have long hesitated, in this distinguished presence, to join in these impressive obsequies, which in masterful and everliving speech will forever embalm in this great nation's noble mausoleum one of the most illustrious among its illustrious dead. But being reminded that I am one of the few men now serving in this body who served in the Forty-Seventh Congress—the inception of his Congressional career—not only as colleague but as co-member of the Committee of Banking and Currency then and for several Congresses thereafter, seems to lay upon me as a duty to pay my modest tribute to his memory.

It is not for me to speak of his early life. That is for those of his own State, of his own neighborhood, with whom he played as a boy; with whom he strove in the village school; those who contended with him in the more robust sports of approaching manhood; those who discussed with him in the village society the far-reaching questions, the solution of which began about the time of his adolescence to force themselves upon the public mind. Besides, I have had the great pleasure of reading this record, set forth in detail by a loving and appreciative pen in the home press.

Nor yet of his career as a journalist. He has built for himself an enduring monument of this in the newspaper admitted to have become, by his untiring genius, the most influential in his native State and probably second to none in New England.

Nor of his home life. Into its sacred precincts no presence should enter except it be clad in the consoling garb of sincere sympathy. That this was all-pervading is abundantly shown by the shock that thrilled the country at the announcement of his death, by the distinguished honor accorded him in Congress of lying in state in this Capitol, by the vast numbers that crowded this Hall—to gaze for the last time upon all that was left of his mortal part—the tolling bells, the flags at half-mast, the suspension of business all along the route as the funeral cortege proceeded hence to his last earthly resting place, Maine's deep grief, and the tears and sobs of friends, neighbors, and acquaintances of all ages and conditions.

If the expression of human condolence could have stayed the hand of death, or restored the dead to life, or could ever pour the sure balm of perfect healing into wounded and bleeding hearts, then surely all these have been showered in richest abundance upon all those nearest and dearest to him. These, however, are all in vain; but surely they will ever constitute for them an un-failing and lifelong source of consolation. Of that spiritual life

called religion which seems to be an inseparable part of mortal man, his daily walk, his continual practice, his shining example for a lifetime, speak. His light was never hidden under a bushel, but shone brightly as from a candlestick.

CONGRESSIONAL CAREER.

In order to form a just estimate of the character of NELSON DINGLEY as a Representative, and place him on the pedestal, where, in the judgment of mankind, he will ultimately belong, it is necessary to take into view the excellent quality of men, and the great number of men of excellent quality with whom he in his lifetime was associated, and among whom he performed his labors, and the results of those labors.

I will not speak of him as a State legislator for a period of seventeen years, during a portion of which he was presiding officer, nor as governor of his State for two terms. Of that I have no knowledge. But if you will take up the records of Congress beginning with the Forty-seventh, continuing up to and including the Fifty-fifth, and call out the names of the men of might now passed away, who, living, attained lasting distinction and fame in the nation's councils by their talents and usefulness, as well as attracted to themselves the affection and respect of their country and neighborhood by nobility of character and their good qualities, you will be astonished at the number. They are to be counted by scores. To enumerate them all would be to weary your attention. Among them may be mentioned Kelley, S. S. Cox, Randall, Kenna, Mutchler, Holman, Haskell, Burns, Buckner, Butterworth, Willis, Broadhead, Brown, Curtin, Eaton, Hatch, Gibson, Tucker.

If you will take up the same records and pick out the living whose careers and character give prominence of equal distinction and equal fame and equal affection and respect, you will be equally astonished at their number. It would be invidious to name them. Still living, their names will recur to those who are familiar with our history. But in the councils of the nation many are the men of might now dead, many are the men of might now living, who have written their names and impressed their ideas on the policy and legislation of the country during that period. Such have been the associates of our late colleague during this period. Can we not truthfully say that he did not fall behind any one of them all in distinction or in the results of his labors? No one single man in the lower House of Congress during the last eighteen years has impressed himself more largely upon his party in matters of policy, or on the country at large in matters of legislation.

How did he do this? He never rose in his seat but to make a clear statement, to inform, to demonstrate, and to convince. My deliberate opinion is that our late colleague never undertook to address this House on any subject without previous and exhaustive examination of every source of information within his reach. The same industry and conscientiousness that we can now discern in his career from boyhood up was his handmaiden here. Hence, he never spoke without having something to say or without imparting knowledge. He thoroughly believed in what he advocated. If he could not believe he was silent. Hence, though not an orator equipped with the tricks of eloquence and rhetoric, without a voice, and by no means an attractive or pleasing speaker, he always had an attentive and patient audience.

Thus it happens that while many of his contemporaries of greater brilliancy and possibly greater genius may have for the time being created a greater stir by their eloquence, very few, if any, of them have impressed themselves so strongly as he upon the policy of the party to which they belonged or the legislation of the country, either temporarily or permanently. He furnishes a most striking example, and one worthy to be followed by all who participate in the deliberations of lawmaking bodies, of the grand and lasting results to be accomplished by a conscientious, intelligent application and industry. It is an example which can well be followed by all in every walk of life.

HIS PERSONAL CHARACTER.

While it has fallen to the lot of few men to have had a more successful and honorable career than NELSON DINGLEY, it never affected either his style of living or his intercourse with his fellow-men. The temptations that beset the path of most successful men never seduced him from the path of rectitude or caused him to lose his balance. He was affable, genial, modest, obliging, even-tempered and self-controlled throughout. Thus we see that through all the acrimony that characterized the fierce political antagonisms of the times in which he lived you will look in vain among those who knew him for any who did not cherish for him personally both respect and esteem. If "he that ruleth himself is greater than he that taketh a city," what praise should be given to him that ruled not only himself but also the State.

In leaving him here I feel that I can place upon his tomb no better epitaph than the words of Paul: "I have fought a good fight, I have finished my course, I have kept the faith."

All, without a single word from me, will readily apply the verse following that noble passage to our departed friend.

Army Reorganization.

A large standing military force is not consonant with the spirit of our institutions nor the feeling of our countrymen.—Andrew Jackson.
Colonial empire has been one of the greatest curses of modern Europe.—Macaulay.

SPEECH

OF

HON. CHARLES L. BARTLETT,

OF GEORGIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, January 26, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11622) for the reorganization of the Army of the United States, and for other purposes—

Mr. BARTLETT said:

Mr. CHAIRMAN: I recognize that at present there possibly should be some change made as to the present existing Army, and I desire by proper legislation to aid those patriotic citizens who, in my own State and in other States of this Union, promptly answered the call of their country and entered the Army to defend its honor and its flag, and to establish freedom for a people near our coast who for thirty years had been struggling with the cruelty and oppression of Spain for liberty and freedom. I wish those men who thus volunteered their services, several companies of which are from my own district, may, since the war is over, be mustered out and returned to their homes, that they may pursue the avocations of peace which they left at their country's call to defend its honor and its flag, and to fight for the freedom of a downtrodden people.

I might be willing to provide in some way for the increasing of our Regular Army to such a force as will properly defend our seacoast and man the guns on our coast defenses, and in addition to this I am willing to give to the President of the United States and to the country such a force as may be necessary to be temporarily used only in those islands for the government of which we are at present responsible. But much as I desire to relieve the parents and relatives of those patriots and soldiers who, though they were not allowed to participate in the actual war with Spain, were yet sent to Cuba to face the yellow fever and the diseases of that country, a danger worse than the Spanish bullets, yet I can not bring myself to support this bill reported by the majority of the committee.

The bill does not propose to answer the immediate demands of the Government at this time, but to establish a large, permanent standing army of 100,000 men. Such a policy can but mean that we are ready to turn our backs upon the theories of this Government and the principles which have prevailed from its foundation, to undertake to step forward in the direction of imperialism and centralization. I shall support the minority substitute, for it gives to this Government all the soldiers that it needs at this time when the Government needs them, and then, when the necessity is over, provides for their return to civil life to again become useful citizens.

It seems to me that if the policy embraced in this bill is to be established as the policy of the Government, it but shows that, having overthrown and conquered the power of Spain and liberated the Cubans, we propose now to overthrow our own institutions and conquer the liberties of our own people. A large standing army is not necessary, either to pacify Cuba, properly guard and protect Porto Rico, or to defend the seaports and frontiers of the United States. It must mean that we are preparing this standing army for the subjugation, the conquering, and the annexation of the Philippine Islands, and when that is done, to be used as a national police. If this be so, the American people to-day present the remarkable spectacle of having waged a war with Spain successfully to give freedom and independence to the Cubans, and now increasing our military establishment to wage war upon the Filipinos, to subjugate them and force our Government upon them against their will.

I do not believe in a large standing army in time of peace. The theory, the history, and the principles of government, as taught and made by our fathers, are opposed to a large standing army in times of peace. From the very foundation of this Government, yea, from the time of the Declaration of Independence, the people of this country have had an aversion and have been opposed to large standing armies in time of peace. It is natural that the Anglo-Saxon should be opposed to a large standing army. The bill of rights of the English people, the charter of their liberties, known as "the great charter," teach us that our English ancestors forbid that the King should create armies without the

consent of Parliament, and that Parliament has always been careful to guard the rights of the people against the maintenance of large military establishments in time of peace, and though the King did sometimes, in violation of the fundamental law of the people, in times of war, raise large standing armies, yet, whenever the country was at peace and not threatened by any foreign or domestic enemy, the English people have insisted, when the war was over, that the military establishment should be reduced.

This certainly was so until England had established a great empire by the colonization of islands and other lands; and even while England provides sufficient troops and armies for her colonies, the establishment at home is comparatively small. We are told by Macaulay that before the Revolution our ancestors had known a standing army only as an instrument of lawless power, and did not believe that the same could exist without danger to the rights both of the crown and of the people. The maintenance of standing armies in this country was one of the chief causes which led to the Revolutionary war and the independence of the American colonies. In that great instrument, the Declaration of Independence, we find it charged against the King, amongst other wrongs which he had inflicted upon the colonies, that—

He had kept amongst us in times of peace standing armies without the consent of our legislatures.

He has affected to render the military independent of and superior to the civil power; for quartering large bodies of armed troops amongst us. He has erected a multitude of new offices, and sent hither swarms of officers to harass our people and eat out our substance.

From the day that Thomas Jefferson penned these immortal lines, as unanswerable reasons why the American people "were and of right ought to be free and independent," down to this good hour, no party, and no man who loves his country and its liberty and its flag and the glorious history which it represents, have in time of peace ever dared to undertake to foist upon the people a great standing army. It was left for the present Administration and the officers who represent it to take advantage of the patriotism of the people and the conditions that immediately followed the glorious ending of the successful war with a foreign foe, to endeavor to violate all the traditions of our history and the teachings of our fathers, and perpetuate militarism and imperialism by establishing a great standing army in time of peace, which is the first step toward imperialism.

I am opposed to this change in our policy and this desertion of the teachings of our fathers, even though such opposition may now and then be flippantly charged as being treasonable; yet, if to stand by the doctrines of our fathers, if to resist the aggressions of militarism, if to denounce the effort to change our institutions by first foisting a large standing army upon the people, is treasonable conduct, then I for one accept the term and glory in the fact that my conduct is treasonable; for I propose to put "my foot in the track of our forefathers, where I can neither wander nor stumble." There has not been a leader of the Democratic party from Jefferson down that has ever suggested aught that would authorize a large standing army in this country during time of peace. We have always been taught by the founders of the Democratic party, as well as by the men who achieved our independence and established our Government, that standing armies in time of peace are dangerous to free government; that the bulwark of our defense is the national militia, and upon that we should rely to suppress domestic violence and to repel foreign invasion.

President Andrew Jackson, in one of his messages to Congress, thus speaks of the standing army:

A large standing military force is not consonant with the spirit of our institutions nor the feeling of our countrymen, when the lessons of former days, and those of our own times, also, show the danger as well as the enormous expense of these permanent standing military organizations.

And he spoke of the militia as—

a patriotic militia, which would at all times cover our rights and the liberties of the people from foreign invasion and domestic violence with an impenetrableegis.

In all of the wars we have had, from 1776 to the present time, the volunteer soldiers, called from the yeomanry and citizenship of our country, have established the independence of our government, maintained it in the war of 1812, carried our flag victoriously through Mexico, and rendered imperishable the glory of the volunteer soldier in the late civil war.

It is too late in the day of the history of America now for the first time to declare that we must change the theory of our Constitution and our Government and rely hereafter upon a great standing military machine in time of peace. It will not do for men to sneer at the volunteer soldier or the citizen soldier of this country, because they have made the best fighters in time of war, and when the war was over and the forces disbanded, have returned back to their homes and to society and made the best citizens in time of peace. It is because of the fact that the volunteer soldier has a home to defend and return to when the war is over, and does not rely upon the Army and war as an avocation, an occupation, and as a means by which he is to live that makes our system of a small standing army in time of peace and a well-regulated militia

the surest bulwark for the preservation of the liberties of the people.

As a tribute to the volunteer soldiers of our country, I present the following beautiful words of that great orator, Mr. S. S. Prentiss, in his welcome to the volunteer soldiers of the Mexican war on their return home:

Indeed it is a noble sight, worthy of the genius of this great Republic, to behold, at the call of the country, whole armies leap forth in battle array, and then, when their services are no longer needed, fall quietly back and commingle again with the communities whence they came. Thus the dark thunder cloud at nature's summons marshals its black battalions and lowers in the horizon; but at length, its lightnings spent, its dread artillery silenced, its mission finished, disbanding its frowning ranks, it melts away in the blue ether, and the next morning you will find it glittering in the dew-drops among the flowers or assisting with its kindly moisture the growth of the young and tender plant. Great and happy country, where every citizen can at once be turned into an effective soldier, every soldier converted forthwith into a peaceful citizen.

And to this kind of an army and no other am I willing to intrust the preservation of the liberties of our people and the perpetuation of our institutions. [Applause.]

Some one has said in this debate that the charge that the Army is to be used to suppress the demands of labor is done for political effect, and the gentlemen from Ohio [Mr. BROMWELL] to-day referred to the argument of his colleague [Mr. LENTZ], who said that the Army was to be increased in order, he feared, to be used to suppress the demands of labor as opposed to the demands of capital and the corporations. The gentleman from Ohio [Mr. BROMWELL] called attention to the fact, as he claimed it to be, that although the Democratic party in its platform of 1896 had inserted a provision advocating, as he asserted, lawlessness and violence, and had proposed to shackle the hands of the courts, yet, declared the gentleman from Ohio [Mr. BROMWELL], the organized labor, in spite of this appeal, which he characterized as anarchistic and incendiary, followed the standard of those who were in favor of sound money and sound government.

Mr. Chairman, I have seen that statement made in newspapers that generally have no regard for correctness of statement when a purpose is to be carried, but never upon the floor of this House have I heard the statement made before that the party to which I belong had inserted in its platform of 1896 a plank in favor of violence, or one that proposed to shackle the hands of the courts. To make such a charge sincerely is to display ignorance of the truth of the platform on the part of those who make it; to make it knowing the truth is to make a statement which can not be substantiated. That portion of the platform which the gentleman attacks as anarchistic and opposed to law and order and the courts declares:

We denounce arbitrary interference by Federal authorities in local affairs as a violation of the Constitution of the United States and a crime against free institutions, and we especially object to government by injunction as a new and highly dangerous form of oppression, by which Federal judges, in contempt of the laws of the States and rights of citizens, become at once legislators, judges, and executioners; and we approve the bill passed at the last session of the United States Senate and now pending in the House of Representatives relative to contempts in Federal courts and providing for trials by jury in certain cases of contempt.

It denounced arbitrary interference by the Federal authorities in the local affairs of the States. Such an interference is a violation of the Constitution and a crime against free institutions. Mr. Chairman, what man on this floor, what member of Congress, what American citizen would here or elsewhere dare to declare that he was in favor of arbitrary interference by the General Government in the local affairs of the States? Mark you, the platform says arbitrary interference, using, as it does, the language of the Constitution. Yet such language, borrowed from the source from which the Government takes all of its power, is charged to be anarchy. Those who love the Constitution and the law remember that nothing can be anarchy which the Constitution upholds or forbids. That same platform, which, as the gentleman says, shackles the hands of the Supreme Court, simply declared that it was opposed to the oppression of Federal judges who used the process of injunction to suppress labor, and called for the passage of the law which gave a jury trial in contempt cases.

The very bill which our platform approves and calls upon to be passed had, on the 6th day of July, 1896, been passed in the United States Senate with only six dissenting votes, on a division without a roll call, and came from the Judiciary Committee, over which the Senator from Massachusetts [Mr. HOAR] presided. And this is the assault on the courts that is alleged to have been attempted.

Now, Mr. Chairman, I shall not submit to such a charge. The platform upon which we went before the country, the standard held by our candidate, was followed and supported by nearly 7,000,000 people, free and unpurchasable voters, and they should not submit to the charge that their platform was a platform of anarchy and an assault on the courts. A perusal of the platform is a refutation of the charge, and the charge, when knowingly made, is untrue, and when recklessly made is not entitled to respect. [Applause on the Democratic side.]

But, Mr. Chairman, I am opposed to this bill because it creates an army of 100,000 men when we have no necessity for such. In

the island of Cuba we have pledged ourselves to withdraw our forces when a stable government has been formed and leave the government of the island to its own people. If we shall follow out this declaration made before the war, we will need few soldiers in Cuba, and those for but a short time. The Administration has thus far pledged itself to no fixed policy so far as the Philippine Islands are concerned, but we waged this war to free Cuba, to liberate suffering humanity from oppression and tyranny; we fought in the name of humanity and justice and liberty, and we sought neither forcible annexation, which the President in his message to us declared would be "criminal aggression;" we sought neither acquisition of territory nor military glory, but we spent our treasure and sacrificed the lives of our soldiers in a holy cause; in the cause of liberty and freedom.

While we have no such declaration with reference to the Philippines that we made with reference to the Cubans, good faith requires that we shall carry out the same purpose, and that we shall treat them the same as we proposed in the declaration of war to deal with the Cubans. But even now we hear it suggested that this Government will annex Cuba. It may be, Mr. Chairman, that it will do so. It may be that as a war necessity or a trade necessity we may turn our backs upon our pledged word and annex that island and take its people, whether they consent or not. It would not surprise me if the Republican party, now in control of the Government in all its branches, should do so; and if they do undertake it they will not violate their history. The records of Congress show that pledges as solemn and binding as the one which we made when we entered the war with Spain have been broken.

In the late civil war, a war waged by the Government against its own citizens, it was pledged by a Republican Congress and Administration that that war was waged and was to be carried on for another purpose than to interfere with the property rights and established institutions of the States then at war with the United States. The following is the resolution I refer to:

Resolved, That this war is not waged upon our part with any purpose to overthrow or interfere with the rights or established institutions of these States, but solely for the purpose of defending and maintaining the supremacy of the Constitution and to preserve the Union.

The first and greatest President furnished by the Republican party approved the resolution, and had previously said in his inaugural the following:

I have no purpose directly or indirectly to interfere with the institution of slavery in the States where it now exists. I believe that I have no lawful right to do so, and I have no inclination to do so.

Yet within a year and a half after that resolution was passed the same President who had signed his name to that resolution issued the proclamation known as the emancipation proclamation, destroying all property rights of a certain kind in the States then said to be in rebellion. I do not refer to this for the purpose of arousing animosities which, I hope, are forgotten or to kindle anew the bitter memories of the civil war, but simply as a matter of history and to suggest that if the Republican party found it necessary, in a war with their own kindred and people, to violate their solemn pledge, what may we not expect the man now President, who does not possess those great qualities which characterized Lincoln, or the Republican party to do with Cuba. The future alone must answer. I repeat, I do not desire to excite any sectional animosities by referring to this incident of the civil war. I am glad that slavery is abolished here forever. I thank God that the animosities of the war are gone. If anyone doubted it before that the "war is over," no one should doubt it now. This little skirmish we have had with Spain has demonstrated to the world that the people who lately formed the Confederacy and their descendants are, as they have always been since the Confederate armies surrendered at Appomattox, loyal and true to this Union and to its flag.

It is ours as well as yours. The flag of the Confederacy that took its flight from the battlefield of Appomattox was folded forever, except in the memories of the men that fought for it and the cause it represented, and their descendants, and in its stead, from Maine to California, in North Carolina, Virginia, Georgia, and all of the Southern States there has been ever since no other flag than the flag of our free united country. [Applause.] Yes, Mr. Chairman, we are one people again. The North has found it out at last.

One, under God, forever, on furrowed land and sea—
Never a storm to darken the stars of liberty!
Thank God, the breath of freedom is breathed from every clod—
One hope, one heart, one country, forevermore—Thank God!

[Applause.]

Shall we increase the Army because of the situation in the Philippine Islands? For myself and for my constituency, I declare now that by no vote of mine shall any policy be instituted that looks to the permanent acquisition of those islands, either as a part of the territory of this Government, to be held as the other territory of our country is held, its people to become citizens entitled to

all the rights and privileges of American citizens, looking forward to the time when they are to be admitted as States and members of this Union, or as a colonial possession. I would not deliver these people back to the tyranny of Spain. The fortunes of war, the unparalleled victory of Dewey and his fleet, make it necessary for us to deal with this question.

Neither humanity nor the fortunes of war nor the pretended "currents of destiny," which are said "to run through the life of a nation," require or demand at our hands the sacrifice of the liberties of our own people or the great principles of our own Government either to civilize, Christianize, or protect these Philippine islanders, located 10,000 miles away from our country, in a tropical clime, where the American citizen can not live and prosper, or that we should do more than to free them from the tyranny of Spain, let them establish a government of their own, then leave them to govern themselves and to fight their own battles of peace as well as of war.

The policy and destiny of America, as outlined by Washington in his immortal Farewell Address, and as proclaimed by Monroe in the celebrated Monroe doctrine of 1823, is to preserve republican institutions upon the Western Hemisphere, to prevent monarchy and tyranny from advancing any foothold hereon or further establishing its government in America, but no one has ever suggested, until very recently, that the policy or destiny of America was to acquire territory and colonial possessions in the Orient and to establish military governments there. There is no analogy between the Louisiana and Florida purchases, the annexation of Texas and the territory acquired as a result of the Mexican war and the proposed annexation of the Philippine Islands. Florida and Louisiana were adjoining our own territory. They were possessed by European nations whose institutions were averse to ours. They afforded a place where a foreign enemy could impede and annoy the commerce of the Mississippi River and furnished a basis for military operations against us.

In both of the treaties which annexed Florida and Louisiana provision was made giving to the citizens of the ceded territory "all the rights, advantages, and immunities enjoyed by citizens of the United States;" provided that they "should be incorporated into the Union as soon as might be consistent with the principles of the Federal Constitution." They were acquired for the purpose of extending our domain into contiguous territory, and to make a greater and larger Union in territory and population upon the American Continent, and of freeing America from the hands of monarchy and governments which did not in any way resemble or sympathize with republican institutions. Texas itself had become a free and independent State when it was annexed to the Union, and the consent of its people was given to the annexation.

The territory acquired from Mexico by the treaty of Guadeloupe Hidalgo and by the Gadsden treaty both provided that the citizens in the territory should have the rights of American citizens, and—

that those who did not desire to become American citizens should have the right to move at any time to the Mexican Republic with their property, and that those who remained should be incorporated into the Union and be admitted at the proper time to the enjoyment of all the rights and privileges of members of the United States, according to the principles of the Constitution.

And the treaty which annexed Alaska to this country provided for the return to Russia of those who did not desire to become citizens of this country, and that those who remained should be admitted to "the enjoyment of all the rights, privileges, and advantages of citizens of the United States."

From the treaties providing for annexation of territory to this country it must be seen that at no time have we made any annexation of territory not contiguous to us, and in all the treaties it was provided that those who remained in the territory annexed, and who did not desire to return to the government from which the cessions were made, should have and were entitled to have all the rights of American citizens. And so it must be with the citizens of the Philippine Islands if we shall eventually determine to annex them. The people of those islands are entitled to, and will become entitled to, all the rights of American citizens. For myself, I stand unalterably opposed to annexing and making the people of these islands at any time American citizens, and giving them the rights of American citizens.

We have great problems enough of our own to solve in this country, especially in the South, of different and divergent races, without taxing our people with a new problem, wherein we will have to determine the rights of 10,000,000 of new and strange people, or an entirely different race from ours. We can not hold them as a colony; the theory of our Government will not permit us to do that. The Constitution under which we live and upon which our Government is founded, does not recognize the right of this Government to hold colonial possessions and govern them or any of its inhabitants by colonial government. The Supreme Court of the United States has so decided in the celebrated case of *Scott vs. Sanford*.

At the very time permanent sovereignty is established and recognized over those islands by this Government, those people become citizens, not merely inhabitants or denizens, of the United States, and are entitled to the rights of American citizens. They are entitled to come and go at their pleasure; to bring hither their goods and sell them without the imposition of tariff taxes. We can not hope that any considerable number of Americans can ever permanently locate or live in those islands, either to civilize or govern those people. For over three hundred years Spain has had control of them, and to-day there are not 20,000 Spaniards in the islands as permanent residents, and the number of Englishmen and Germans is very small.

We are told in the "Military Notes on the Philippine Islands," a Government publication, that the bulk of these people are of Malay origin; that they are composed of most diverse mixtures of races, including Malays, Aetos, Negritos, who are pure blacks, Chinese, Japanese, Moors, Europeans, and mixtures of each with the other. There are nearly as many different tribes as there are islands, and it is said that 500 languages and dialects are spoken in the islands at the present day. In the inaccessible parts of the islands there are still tribes of unsubdued savages, whose numbers are said to be over six hundred thousand.

If, indeed, these islands are to be annexed and its people are to become citizens of our country, and the burden is to be put upon our people to govern and civilize them, then Spain, and not America, has gained the victory in this war. She has rid herself of a burden and problem with which she has struggled for three hundred years unsuccessfully, and turned them over to us for solution, and is to receive at our hands the munificent sum of \$20,000,000 for the delivery to us of this problem for solution. In the name of my constituents, and for their interests and their children's interests, and their posterity for years to come, I enter my objection and protest against it.

But it has been suggested that it opens a great field for the trade of our country and of our merchants and business men. The exports from these islands in 1897 did not amount to quite \$11,000,000, and already the United States had nearly \$5,000,000 of that trade. The imports were a little over \$20,000,000. So we see that all of the trade, both exports and imports, will not pay one-half of the money that will yearly be required to be levied upon our people to pay for the standing Army in these islands and the Navy that will be required to enforce the government of the United States upon the people of these islands, against their will, and protect them from foreign interference.

Thus it becomes necessary, in order for us to embark in this new policy of imperialism and colonization, to abandon the theory of our Government, the vital principles of which were announced in the Declaration of Independence, that all "just powers" of the Government are derived "from the consent of the governed," and also to forsake the wisdom of the Father of our Country, with which in his parting words he admonished us. It forces us to become parties to the policies and intrigues and plans and alliances of foreign nations that are struggling with each other, maintaining large standing armies at enormous expense to their own people in order to carry out their desires and plans of plundering the nations of the Orient; and thus we become involved in European policies and cut ourselves loose from the ancient moorings, and lose sight of the old landmarks which were placed by the fathers before us to guide us in our preservation and perpetuation of republican institutions. For myself I prefer to follow the admonition of the fathers and to call to the mind and attention of the people the parting advice of Washington, who said:

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not legally hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by inter-weaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world, constantly keeping in view that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

I believe the observation of these teachings is far better calculated to advance the interests of our people, to perpetuate our

Government and preserve it for all time, than that new policy which has nothing to offer more attractive or suggestive than that we should not "haul down the flag" from where American soldiers and sailors have placed it. I do not believe that we should permit anyone to "haul down the flag" with hostile hands; but I do believe it to be the part of wisdom and statesmanship that if it has become necessary in the course of this war, in order to punish or conquer our enemy, for the American soldier or sailor to raise the American flag, the emblem of republican government, of liberty, and of justice, in lands or in climes which are not suited to become parts of this Union or to be inhabited by American citizens, and over peoples who are to become vassals and subjects, then we should do as we have done in the past, take down the flag and bring it back to our own land and to our own congenial clime.

The American flag was raised in Canada, during the Revolutionary war, under George Rogers Clarke, yet it did not remain there after peace was made with England. It floated in the Mediterranean Sea in the war with Tripoli, in the Barbary States, and in the Tripolitan town of Derne, after the American forces had marched under its folds across African soil for a thousand miles; yet Eaton, the consul, and Rogers came home, and no one felt that they had sacrificed the honor of their country because they brought back our flag after that war. So, in 1805 and 1815, Decatur hoisted it again in the war with the Dey of Algiers, and no one has yet suggested that the fame of that great naval officer was ever dimmed by the fact that the flag was brought back home.

In the war of 1812 again the military forces of this country invaded Canada, and the battles of Chippewa and Lundy's Lane were fought on that soil, and yet the flag nowhere now floats or ever did, permanently float in Canada. In October, 1842, before our Mexican war, Commodore Jones entered the harbor of Monterey, Cal., hauled down the Mexican flag and put up the American flag, believing at the time that war had been declared against the United States by Mexico, and the next day he took it down and withdrew, the Government at Washington disavowing the act and apologizing to Mexico. In the war with Mexico the American flag floated triumphantly from the Mexican border, until at last it waved over the very halls of the Montezumas, and yet we withdrew it. And it has never been suggested that any dishonor was done to the flag or that the achievements of our heroes in that war were discredited by such an act. The American flag was carried by the American forces in 1855 on Chinese soil, and in 1857 the American forces and war vessels took and destroyed forts near Canton under Commodore Armstrong, and yet no effort was made to permanently locate or maintain the flag there. It will be no dishonor to the American people, no reflection upon the heroism and achievements of Dewey and his gallant sailors, if the American Government at the proper time, when Spain has been forced to relinquish her government over the Philippines and the people of those islands have been given the right to govern themselves, should take down our flag from Manila and bring it back.

The American people are not to be deceived or hurried to violate the Constitution, the principles, and the theory of our Government by such appeals. They will defend the flag with their lives and devote all their treasure to maintain it where it should float for liberty, justice, and equal rights to those whom it represents, but I do not believe that they will ever consent to give either men or blood or treasure to force it over unwilling people who will look upon it not as an emblem of freedom and liberty, but as an insignia of oppression and military government. I do not believe that we can solve the question presented by the Philippine Islands by military force.

We may, by the use of force and armies, continue our warfare in these islands. We may burden ourselves with millions of debt. We may make the islands a veritable "Golgotha" for our young men who shall be called upon to fight our battles there; but when the years have come and gone, and the lives of the present generation shall have ended, pursuing the course of force, I do not believe we will have accomplished more than Spain has accomplished with these people during the past three hundred years. And even when we have subjugated them and forced them to submit to our dominion and our sovereignty, it will be but a "Punic victory," and the achievement but "Dead Sea fruit, which will turn to bitterness and ashes on our lips." They have been our allies, and they have acted in conjunction with us in aiding us to destroy the power of Spain in the Philippine Islands. They believed that we came as their liberators and friends.

To turn our guns now upon them and force them unwillingly to submit to our dominion and control, even if it were possible to be done, would, in my judgment, violate every principle of right and fair dealing, and would put upon the honored name of this great Republic a stigma and a blemish which would mar its history for all time to come. We can and we should aid them to obtain the liberty for which during many years they have struggled with Spain, and when we have done that, and secured for ourselves upon just and reasonable terms, which at least they would be too

glad to give, such advantages which our trade in the East might require us to have in Manila Bay, then we should leave them to do as we did—to work out their own destiny in their own way.

An example of what may be done with a people of like character and race as these, exists in what is known as the Protected Malay States, near what is known as the Straits Settlements, under Sir Andrew Clarke, an Englishman, an account of which is contained in Senate Document No. 63. Mr. Clarke says:

The people of these Malay States have been created into a prosperous nation out of warring tribes of Malays, and now form a prosperous and peaceful community of 15,000,000 souls; and this has been done, not by wars involving the slaughter of native races, not by drafts upon the Imperial exchequer, nor by the assistance of chartered companies, which necessarily seek to promote their own interests. Their present peace and marvelous advancement have been due to sympathetic administration, which has dealt tenderly with native prejudices, and sought to lead upward a free people instead of forcibly driving a subject race.

If we shall pursue any other course than the one suggested, we shall be compelled at all times, until the problem is solved, to tax our people for an immense army to carry on the operations in these islands. We shall have to account to the mothers and fathers, to the children and kinspeople of our soldiers whom we send there, for the deaths of their kindred, not only from the bullets of the Philippine Islanders, but from the diseases which are inevitable by reason of the tropical climate. It means not only the present increase of the Army, but a continual increase, and year by year an additional increase, not only in numbers for the Army, but in the immense expense incident to maintaining that Army. It means a burden upon the taxpayers of this country, both upon the living and upon generations not yet born.

With the Treasury already depleted, with a deficit of nearly two hundred millions staring us in the face at the end of this fiscal year, with taxes already amounting to \$7 per capita, where are the benefits to be derived from such a policy? There is neither territory sufficiently valuable to pay us for it, trade sufficient in amount or in volume to induce us into it, nor are the people sufficiently intelligent to become citizens of this country, to authorize our making the effort and the sacrifice. With a pension list amounting to nearly \$150,000,000 per annum, with the certainty that it will be increased by reason of the late war with Spain; with a war-revenue tax that is burdensome; with a tariff tax that is a failure and a deception; with an increasing and expanding demand at home for the expenditure of public money by our own people, where shall this Government procure money to pay for this standing Army, for an increased Navy, merely that she shall become a world power, to take her stand amongst the nations as an owner of colonies, as the administrator of military governments, and as the purchaser and owner of vassals in the Orient, and that she, too, may take a hand in the plunder and division of China and the oriental countries?

Let us examine for a moment the cost of these great armies and see what price we are to pay for this imperialistic policy, the first step toward it being this bill for an army of 100,000 men. Even if it is never to be increased, the cost for the Army will be \$150,000,000 per year. When we remember that every soldier in time of peace costs \$1,000 a year in this country, with an army of 100,000 men, 50,000 of which will be required in the Philippine Islands, taking into consideration the cost of transportation and extra pay for service in foreign countries, without counting the loss of life in battle and from disease, the expense to be incurred for the military establishment can not be less than this enormous sum. The Navy, with its increase as contemplated, will cost nearly \$50,000,000 per annum, and pensions \$150,000,000 a year.

Thus we shall be required to pay on account of the Army, Navy, and pensions, the sum of \$350,000,000 per annum, and we embark upon a policy which will make our expenditures far more than that of any nation of Europe for its military and naval establishments. We can no longer point to Germany, Russia, and France as being overburdened with taxation to uphold and maintain great standing armies. For the present year Germany has expended for warlike purposes of every kind, ordinary and extraordinary, with an army of 486,000 men, for her army, navy, and pensions, the aggregate sum of \$197,000,000 per annum. The British army of 163,000 men costs \$105,000,000, including pensions, half pay, etc., according to the estimates for 1897 and 1898, and this includes the armies which are stationed in the colonies and dependencies. The French budget estimate for 1898 for the war department is \$121,000,000.

Thus we see this great Republic, which has loved peace and devoted itself to the arts of peace and to the pursuit of the happiness of its own people, so situated naturally that we can have no fear of invasion by a foreign foe, is proposing to spend under a new régime and under a new policy nearly twice as much for warlike purposes as Germany, and more than France and England combined. And this is but the beginning of an imperial policy, and though the cost in money is great, the sacrifice of principle, the inevitable destruction of the principles and theory

of our Government, which must fall in the wake of such a policy, and as its legitimate result, are not to be compared with the dollars that we spend. I believe and predict that when the American people wake up to the full realization of what this policy means, and when they understand whither it leads, the Administration, the party, and the men who have inaugurated it, and who have encouraged the people to follow it, and who are endeavoring to fasten it upon this people, will be swept out of power and into oblivion, with denunciations, and will be known in history, not as great benefactors of their race, not as patriots, but as men who, for their own purposes and to further the interests of their own political party, have been willing to burden the nation with debt and to attempt to destroy the liberties of the people.

The people must and will take a lesson from the fate of other republics—their rise, their progress, their decline, and their fall—for the pages of history are written full of them, and they are continually before us in the startling fragments of their ruins. They have perished, and perished by their own hands, and the patriotic, liberty-loving people of this nation, the inheritors of the birthright bequeathed to them by Washington and the forefathers of the Government and the framers of the Constitution, will not disregard their warning voice, but will drive from office these men who now undertake by the wiles and the voice of the demagogue to cheat them out of their traditions and eventually out of their liberties. We want and should have no great military establishment.

We do not need it, as I have endeavored to show, unless we shall enter into this new and dangerous era of colonial possessions. Referring again to the case of *Scott vs. Sanford* (19 Howard, U. S. Report), all of the judges of the Supreme Court, while disagreeing as to some other questions in the case, held that—

There is certainly no power given by the Constitution to the Federal Government to establish and maintain colonies bordering on the United States, or at a distance, to be used and governed at its own pleasure, nor to enlarge its territorial limits in any way except by the admission of new States; but no power is given to acquire territory to be held and governed permanently in that character.

That is, as a Territory.

While the Supreme Court in that case held that the United States had the power to extend its territory by the acquisition of additional territory, which might not at the time be fit for admission as States, but which were to be admitted as soon as the population and situation would entitle them to admission, and said—

It (territory) is acquired to become a State, and not to be held as a colony and governed by Congress with absolute authority.

While I do not question the right of this Government under the Constitution to acquire additional territory by conquest in war, by treaty, or by purchase, I do deny the right, under this decision, to hold any territory it has acquired as a colony, with no expectation or design thereof to admit it as a State, or to deny to the inhabitants of the newly acquired territory the rights to which American citizens are entitled under our Constitution. The right of the inhabitants of all the territory of the United States, and of every portion of it, to have the same tax laws administered in a uniform way, and to have no discrimination as against them in the Government, can not be successfully controverted, because they are fundamental.

These fundamental rights, to which all of the inhabitants of the States of the Union and the territory of the United States are entitled and in the enjoyment of which they will be protected by the courts under the Constitution, among others not necessary to mention are:

Protection by the Government; the enjoyment of life and liberty, with the right to acquire property of every kind and to pursue and obtain happiness and safety; subject, nevertheless, to such restraints as the Government may justly prescribe for the general good of the whole; the right of a citizen of one State to pass through or to reside in any other State for purposes of trade, agriculture, professional pursuits, or otherwise; to claim the benefit of the writ of *habeas corpus*; to institute and maintain actions of any kind in the courts; to take, hold, and dispose of property, either real or personal, and an exemption from higher taxes or impositions than are paid by other citizens; to which may be added the elective franchise as regulated and established by the laws or constitution of the State in which it is to be exercised.

Such is the decision of associate justice of the Supreme Court of the United States, Washington, in Fourth Washington Circuit Court Report, page 381, and the opinion of Mr. Cooley (see Cooley's Constitutional Limitations, page 498).

The right of American citizens to enjoy these fundamental rights and privileges, no matter where they may reside, whether in States or Territories, has been upheld by the Supreme Court in numerous decisions. Among them I refer to the cases of *Loughburro vs. Bates* (4 Wheaton, U. S. Supreme Court Report); *Pollard vs. Hagan* (3 Howard, 312); *American Insurance Company vs. Canter* (1 Peters, 543); *Murphy vs. Ramsey* (114 U. S. Report, 44), which last case declares:

That the personal and civil rights of the inhabitants of the Territories are secured to them, as to other citizens, by the principles of constitutional liberty, which restrain all the agencies of government, State and national.

Their political rights are pledges which they hold as privileges in the legislative discretion of the Congress of the United States.

It is clear, then, that there is a vast distinction between the personal and civil rights of the inhabitants of the United States and their political privileges. The first exist independently of the action of Congress, by virtue of the principles of constitutional liberty, as guaranteed by the Constitution; the latter can be controlled by Congress. In addition may be cited the cases of *Ex parte Neilsen* (181 U. S. Report); *Ex parte Snow* (120 U. S. Report); the case of the Mormon Church (136 U. S. Report); the case of *Callan vs. Wilson* (127 U. S. Report); the case of *Thompson vs. The State of Utah* (170 U. S. Report); and many others might be cited to sustain the proposition contended for.

Already the statutes of the United States, as embraced in the Revised Statutes, section 1978, provide what shall be the rights and what are the rights of the inhabitants of any territory that may be possessed or acquired.

Section 1977 declares:

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

This law must dispose of the assertion often now heard that the Philippine Islands are to be controlled by Congress, and that the President had committed that question to the consideration of Congress. Congress is entitled to pass laws for their government, if we shall acquire them permanently, but Congress has no power to deny to them the rights of American citizens, which are fundamental. Should Congress enact such a law, unless the Supreme Court should reverse itself, the law would be void.

But even if we had the right to govern these people as England governs her colonies—if we had no Constitution, and simply asserted our power of might and force to take and rule them by military government or by a "carpetbag" régime set up in these islands—I believe that such a policy would redound to the great injury of our Government and of our people. No European nation has grown rich by the colonial system, but the statistics show that they have been a burden, both in the way of requiring large expenditures of money for military establishments to protect them and enforce law and order in them by those nations that own colonies, and also in the expenditure of money from the home governments, often requiring large sums in excess of the revenues received from such colonies.

The historian Macaulay declares that "Colonial empire has been one of the greatest curses of modern Europe," and he asks: "What nation has it ever strengthened? What nation has it ever enriched? What have been its fruits?" And the historian answers the question by saying:

Wars of frequent occurrence and immense cost; fettered trade; lavish expenditures; clashes of jurisdiction; corruption in government and indigence among the people.

The historian further declares:

Those who maintain that settlements so remote conduce to the military and maritime power of nations fly in the face of history.

Spain herself is a warning example to us not to enter upon this colonial system, since Spain at one time embarked upon it on a larger scale than any other nation of the earth, when she was probably the greatest military nation of her time, and in less than two centuries she is stripped of every one of her colonial possessions, save a few small and valueless islands, and to-day she is so weak and insignificant in the ranks of the great nations of the earth that "none are so poor as to do her reverence." If the warnings of history, the teachings of the past, and the prospective burdens in the way of expenditure of money and men for the carrying out of this new policy are not enough to make the most ardent imperialist stop and consider, nothing will.

Mr. Chairman, I am one of those who believe that war should cease, and hope that my country—the greatest Republic that has ever been born or grown into existence, the hope of mankind for the perpetuation of freedom and liberty—will set the example and lead in the effort toward establishing universal peace. The last one hundred years have been a period of war, devastation, and ruin in the world from wars. The Napoleonic wars, commencing in 1793, are said to have cost the British and French people \$8,500,000,000 in money and nearly 2,000,000 men. The Crimean war cost the nations engaged in it a billion and a half of dollars and 600,000 of their citizens; the Franco-German war cost 200,000 lives and nearly \$2,000,000,000, not counting the indemnity paid by France of \$1,000,000,000. And, not to particularize, as was stated in McClure's Magazine of July, 1898, during the last one hundred years the wars of Christian Europe have cost the lives of 5,000,000 men.

If these men were marched in single file they would make a procession 3,000 miles long and would require six weeks to pass any

given point. The wars of the century have destroyed twenty billions of treasure, and this is a sum equal to the entire earnings of more than a million men for the entire one hundred years. If we look to the wars of our own country, and what these wars have cost us, we will find that in the Revolutionary war we expended \$135,000,000; the war of 1812 cost \$75,000,000; in the civil war, not counting the cost to the Confederacy, the United States Government was saddled with a debt, in bonds and other expenditures, to the amount of over \$5,000,000,000. The enormous expenditure during the civil war and since that great conflict, growing out of it, "would have bought the freedom of every slave and left enough to pay all the peace expenses of the Federal Government for half a century."

"The divided nation expended money enough during the struggle to supply every man, woman, and child with ample food for the entire four years, and the sums spent and to be spent since would feed the people for another four years. The treasure destroyed because of that conflict would purchase the entire 185,000 miles of railroad, with all its rolling stock, stations, yards, and other property, and all the 2,300 miles of canals, with every boat that plies through their waters; it would purchase, in addition, every vessel flying the American flag on all the oceans, rivers, and lakes of the world, all the thousands of miles of telegraph and telephone lines and everything belonging to them, and all the mines and quarries of the nation, including the producers of gold, silver, iron, copper, petroleum, marble, and every other substance that comes from the interior of the earth. Even all these would not exhaust the wealth spent because of that war, since there would yet be enough to buy every schoolhouse and church that the people of this country now own."

It has been stated that the official records show that in the armies of the North 44,000 were killed in action during the war, 49,000 died of wounds, 186,000 died of disease, and 25,000 died from causes unknown, making a total of 304,000 deaths of Northern soldiers. But these numbers do not include those who died at their homes from wounds and disease. It is not too high an estimate to place the deaths in the North from the war at 350,000. And for every Northerner that fell it is believed that a Southerner died also—700,000 lives destroyed in one short war. That struggle multiplied threefold the death rate of ordinary times, and took, not the children, the aged, the sick, and the weak, but the very flower of the nation's manhood. Could every slain soldier have had appropriate burial, the hearses alone would have formed a funeral cortege from ocean to ocean.

Surely war and the prospect of war, its allurements, its glory, and the acquisition of foreign territory that may come from it, are not sufficient that we should not heed the teachings of the past and the losses we have sustained. Let us turn our attention and energies, not to engage in a business foreign to our principles of government, and that will lead us into conflicts with other nations and into wars, but to the establishment and maintenance of a perpetual peace.

I believe we should speed the day, in response to the request of the monarch who rules more people and has more soldiers at his command than any other on the face of the earth—the Czar of all the Russias—we should hasten the hour when the nations of the earth should disarm instead of increasing their armies and military establishments.

May it not be realized that as the nations of the earth gather in Paris in 1900, at the celebration to be had on the soil of France—in that country which has drunk more of the blood of men shed in battle than any other one nation in Europe—that the rulers of all the nations may be able to gather there for a millennium of peace. Who shall say, if America shall set the example, that we shall not be permitted to celebrate in Paris in 1900 the millennium of the human race, as well as the millennium of peace, liberty, and justice.

Quoting the language of M. Passy, the eminent French publicist, and president of the French Society for Arbitration between Nations:

Toletol has said, "The time is at hand," and the peoples invited to cross together that bridge which a poet has justly called "The mighty span which stretches from the closing to the opening century" do not ask anything better than to bid farewell to the vile shore where they have known the violence which destroys, and to establish themselves forever on the blissful bank where labor and peace shall forever chase away misery, ignorance, and hate.

May this hope of the peace lovers of the world be realized, and may the dawning of the twentieth century be ushered in by the celebration of an universal peace. May the efforts thus begun be earnestly continued—

Till the war drums throb no longer and the battle flags are furled
In the parliament of man, the federation of the world.

If we shall aid in effecting this grand and noble purpose, we shall accomplish more than if we acquired all the islands of the seas, or subjugated and conquered all the Malay, Mongolian, or African and mongrel races who inhabit the Orient. [Applause.]

The Annexation of the Philippines.

If the Philippines are to be subjugated, annexed, and governed by methods unknown to the Constitution and not legally applicable to other territories subject to the control of the Federal Government, as to the provinces that are to be subjected to this accursed system let the American President be declared Emperor.

SPEECH

OF

HON. CHARLES F. COCHRAN,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 13, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 13008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes—

Mr. COCHRAN of Missouri said:

Mr. CHAIRMAN: The discussion of the policy of the Administration in the Philippines in Congressional debates and in the public prints has taken a very wide range. Without definite announcement of its purposes, the Administration has gone steadily forward in the consummation of a programme which none of its defenders has had the hardihood to explicitly espouse, and which has been publicly disowned by gentlemen on the other side of this Chamber. Gentlemen have said they are opposed to forcible annexation, but not without such lugubrious protestations of confidence in the President as to plainly indicate willingness to accept and defend whatsoever may be done. After the fall of Manila, those in authority there, under instructions from Washington, adopted a course seemingly intended to estrange the leaders of the Philippine revolution, which was in progress when Dewey's fleet reached Manila Bay, our Government entered upon preparations clearly indicating an intention to attempt the forcible annexation of the islands. Yet more than one gentleman has said in the course of this debate that there is no warrant for the charge that the President has definitely resolved to undertake their subjugation.

The friends and defenders of the Administration in this Chamber and in the Senate have said that to call in question the wisdom of a policy the nature and purposes of which have been defined by a succession of events startlingly significant and not by a frank disclosure of the intentions of the Administration is akin to treason, but they have not dared to confess complicity in the ugly work that is in progress at Manila. On the contrary, they have resented the suggestion that months ago the President and his advisers reached the determination to commit the country to the policy of territorial expansion by force of arms. Scores have spoken on the subject, but not one has dared to confess that military occupation of the Philippines, the subjugation of the inhabitants, the establishment of a military government and its maintenance for an indefinite period are the objects contemplated by the President and his advisers.

Why do the gentlemen hesitate to say in plain terms that the United States has joined the land grabbers of the Old World, and is about to seize a country inhabited by probably 10,000,000 and reduce its inhabitants to vassalage? Why not declare unequivocally our renunciation of the traditions and maxims which for a hundred years have distinguished the United States from those great powers whose ruthless disregard of the rights of the weak, exemplified by bloody wars waged for conquest and booty, we have pretended to view with reprobation, and have denounced as cowardly and inhuman?

Mr. Chairman, if we are to go on in the pathway that has been marked out for this great Republic by the McKinley Administration, American schoolbooks will have to be revised. The masterpieces, familiar to schoolboys, in which our great orators have pictured the atrocity of wars of subjugation, will have to be expunged from the text-books. The young American of the future must not be taught to regard oppression of the weak as the greatest crime that can be committed by a powerful nation. American orators must henceforth point, not to the immortal words in which Jefferson and Patrick Henry epitomized freedom's formula, but to the achievement of American armies sent forth upon missions of violence, and returning to their countrymen laden with booty, with the story of the conquest of distant countries upon their lips.

Mr. Chairman, I am opposed to this appalling departure. I am opposed to the forcible annexation of the Philippine Islands; and I believe that when all the facts are known, the American people will repudiate a policy, the adoption of which imports a deliberate abandonment of principles which are the foundation of our free institutions.

I do not, however, share the belief that the forcible annexation

of the Philippine Islands would be unconstitutional. The question in hand is one of public policy and not of constitutional law. The limitations imposed upon the Federal Government by the Constitution bear upon its relations to the citizen and to the States. The United States is a sovereign power. When the Republic was formed not one of the powers essential to sovereignty was eliminated. The Constitution declares that the people are sovereign. Under it the powers which in a monarchy belong to the king, were vested in representatives and agents chosen by the people to execute their will. In this country every kingly prerogative resides in the people, and may be exercised through the medium of the people's representatives and agents. By the Constitution the citizen was guaranteed immunity from vexation and oppression and made secure in the enjoyment of the largest measure of personal liberty consistent with public order. Home rule was guaranteed to the States; and to the extent necessary to the control of their domestic affairs the States were made sovereign and exempt from the intervention of the central power.

But, Mr. Chairman, while the framers of the Constitution recognized the necessity of safe-guarding the country against unnecessary wars, this was accomplished by empowering Congress, and not the Executive, to determine when the sword shall be drawn and when returned to its sheath, and not by an attempt to define the measures that may be taken in carrying on war with a foreign enemy. Successful war can not be waged on lines defined by councils, conventions, or legislatures, and it is, therefore, inconceivable that there should be lodged in Congress the power to declare war, thus invoking a life and death struggle with the foreign enemy, and that after lodging this power in Congress the Constitution should set limitations upon what may be done to insure its successful issue or prescribe what disposition shall be made of territory acquired as a necessary incident of victory over the enemy. The Constitution fixes the relations of the Government to the people and to the States, and in this respect imposes severe limitations, but certainly it does not tie the hands of the war-making power by attempting to prescribe what may and what may not be done when dealing with a foreign enemy.

If it be conceded that while war is in progress the armies of the United States may invade, conquer, and hold possession of the enemy's territory, it necessarily follows that possession thereof may be retained or relinquished accordingly as the one policy or the other seems best calculated to insure the safety and protect the interests of this country, and if this be admitted, the contention that the Constitution prohibits the annexation of conquered territory necessarily falls to the ground.

It can not be urged that because territory invaded by our armies is occupied by a numerous population, under the Constitution we must obtain the consent of the people before imposing the authority of this Government upon the enemy's country. While the war is in progress we deal with the occupants of the territory invaded as enemies, and as such, they can not claim the protection of our Constitution. In contemplation of law they remain enemies until by a treaty of peace the war is brought to a termination, and as such they can claim no voice in fixing the stipulations of a treaty. That duty devolves upon their government. But, sir, if by the treaty the country in which they are domiciled becomes an integral part of this Republic, thenceforth, equally with every creature domiciled under the protection of the American flag, they have the incontestible right to share with Americans to the manor born the safeguards of liberty, justice, and equality before the law guaranteed to all alike by the American Constitution. So that, in my judgment, the constitutional questions which have figured to some extent in this discussion arise after and not before the annexation of conquered territory. I contend that, when Congress undertakes the enactment of laws for the territory acquired in the war with Spain, statutes for their government must be such as could be enacted for the government of Arizona or New Mexico; and that the citizens of territory which has been or may be annexed to the United States as a result of the war with Spain are entitled to enjoy the legal safeguards which nobody imagines could be denied to the citizens of our other Territories.

The acquisition of territory by conquest does not confer upon the Executive extra constitutional powers. The powers of the Executive as well as the rights of the citizen are defined by the Constitution. Throughout all the domain now comprising, or which shall hereafter comprise, the American Republic, the measure of the rights of the citizen must be uniform. As to territory acquired by conquest, it is for the Congress of the United States to say what kind of a government shall be established, but not even the Congress has power to depart a hair's breadth from the Constitution in the exercise of this authority. The proposal to establish a military government permanently in any part of the domain of the United States is monstrous. It is at variance with the letter and spirit of the Constitution and with the fundamental maxims of liberty long ago crystallized into the bill of rights. It is violative of the principles upon which free institutions are founded. If predicated upon the assumption that the people over

which we are to extend this arbitrary system are incapable of self-government, and can never become capable of self-government, instead of being an argument in favor of the extension of our system to a country thus cursed, it is an unanswerable admonition to abstain from so doing; for in the hallowed formula of Democracy and Republicanism neither Congress nor the President has authority to establish in the Philippines a military satrapy.

In attempting to meet this argument, defenders of the policy of forcible annexation and the establishment of a military despotism in the Philippines will doubtless cite our dealings with the American Indians as a precedent. This argument, if argument it can be called, is entitled to no weight. Prior to the Revolution the colonies and the British Government made treaties with the Indians, thereby recognizing them as aliens and entitled to what our forefathers soon came to regard as concessions. By virtue of these treaties, which we violated without compunction, we gradually extinguished the Indians' title to the continent. Confessedly barbarous and in contemplation of law an alien and in time of war an enemy, the Indian is not comparable with the Filipino, who pursues the ways of civilized man, is engaged in peaceful pursuits, maintains churches and schools, and can not by any stretch of the imagination be classed as a barbarian.

As I have said, Mr. Chairman, I contend that the question presented is strictly one of public policy, and from that standpoint I propose to discuss it.

Mr. Chairman, our first duty is to the American people. In this matter, as in all others, the welfare of this country should be treated as paramount to all other considerations.

If the annexation of the Philippine Islands, whether accomplished by force or by the free consent of the inhabitants, would be injurious to the political system under which we live and tend to its ultimate destruction, the thought of their annexation should not be entertained.

If domestic questions of great moment, questions upon the wise solution of which the future welfare of our people depends, would be remanded to a second place by the introduction of this new theme into American politics, this consideration alone should be sufficient to insure the rejection of the foreign policy of this administration.

If experience has conclusively proven the incapacity and venality of carpetbag governments, presided over and managed by mercenary politicians, this alone should convince us that the colonial governments of conquered provinces proposed by the Administration would bring disgrace upon the country, and be as obnoxious to the tenets of morality as was the reign of the Spaniards in the West Indies and Philippines.

Mr. Chairman, as pertinent to the suggestion that our first duty is the consideration of important domestic questions, let me inquire whether the political situation at home is such as to justify us in attempting the task of securing "good government" for the Philippine Islanders. If the recent sale of United States Senatorships to the highest bidder in a half dozen States, and numerous instances of the sale of public franchises to corporation statesmen through the medium of purchased legislatures, may be taken as an index to political conditions, the breezy optimism which has found expression in numerous speeches made lately by the Chief Magistrate of the nation is not justified. If we have reached a condition in which the size of the campaign fund determines the result of Presidential and Congressional elections, instead of undertaking to reform the rest of the world we should address ourselves to the task of self-reformation.

Mr. Chairman, it is high time that party leadership should comprehend the meaning and the inevitable consequences of political methods, which, had they been adopted fifty years ago, would have spread consternation from one end of the country to the other, but which recently have been pursued by the leaders of all parties without provoking serious opposition and alarm. Sir, I refrain from commingling with my remarks upon this branch of the subject any reference to particular political issues which have been determined by the substitution of cold cash for argument. I appeal to Republicans, Democrats, and Populists. Do you not know that recent election scandals justify everything that has been said by the school of economists who claim that necessarily republics are short lived—that corruption in high places and the bribery of the electorate sooner or later do their deadly work—and that therefore monarchy is the only feasible form of government.

Why, sir, Froude's picture of the fall of the Roman Republic so aptly describes conditions now prevailing in the United States that, if unapprised of the subject under examination, one might readily mistake the great historian's picture of the last days of Roman liberty for a portrait of the American Republic at this very hour. He tells us that—

It was an age in so many ways the counterpart of our own, the blossoming period of the old civilization, when the intellect was trained to the highest point which it could reach, and on the great subjects of human interest, on morals and politics, on poetry and art, even on religion itself and the speculative problems of life, men thought as we think, doubted where we doubt, argued where we argue, aspired and struggled after the same objects.

It was an age of material progress and material civilization, an age of civil liberty and civil culture, an age of pamphlets and epigrams, of salons and of dinner parties, of senatorial majorities and electoral corruption.

The highest offices of state were open in theory to the meanest citizens; they were confined in fact to those who had the longest purses or the most ready use of the tongue on the popular platform.

Distinctions of birth had been exchanged for distinctions of wealth. The struggles between plebeians and patricians for equality of privileges were over and a new division had been formed between the party of property and a party who desired a change in the structure of society.

The free cultivators were disappearing from the soil. Italy was being absorbed into vast estates, held by a few favored families and cultivated by slaves, while the old agricultural population was driven off the land and crowded into towns.

The rich were extravagant, for life had ceased to have practical interest, except for its material pleasures; the occupation of the higher classes was to obtain money without labor and to spend it in idle enjoyment.

Patriotism survived on the lips, but patriotism meant the ascendancy of the party which would maintain the existing order of things or would overthrow it for a more equal distribution of the good things which alone were valued.

Religion, once the foundation of the laws and rule of personal conduct, had subsided into opinion. The educated in their hearts disbelieved it. Temples were still built with increasing splendor; the established forms were scrupulously observed. Public men spoke conventionally of Providence, that they might throw on their opponents the odium of impiety; but of genuine belief that life had any serious meaning there was none remaining beyond the circle of the silent, patient, ignorant multitude.

The whole spiritual atmosphere was saturated with cant—cant moral, cant political, cant religious—an affectation of high principle, which had ceased to touch the conduct, and flowed on in an increasing volume of insincere and unreal speech.

Tendencies now in operation may, a few generations hence, lead modern society in similar conclusions, unless other convictions revive meanwhile and get the mastery of them, of which possibility no more need be said than this, that unless there be such a revival in some shape or other the forces, whatever they be, which control the forces in which human things adjust themselves, will make an end again, as they made an end before, of what are called free institutions.

Popular forms of government are possible only when individual men can govern their own lives on moral principles, and when duty is of more importance than pleasure, and justice than material expediency.

Mr. Chairman, who can read this graphic recital of the story of the great Republic without recognizing its applicability to our own country and times, and without experiencing unspeakable regret that the people seem to be settling down to supine acceptance of the belief that the evils which threaten the life of the Republic are incurable.

Mr. Chairman, if there existed no other objection to the annexation of the Philippine Islands, the fact that while American Senatorships are in theory accessible to the humblest citizen, they are, in fact, sold to the highest bidder, and that the lobby and not the people control legislation and dictate governmental policies in this country should admonish us that, before entering upon the task of guaranteeing "a stable government" to the Filipinos, we should do considerable house cleaning at home. Sir, political corruption, not occasional disorder, is the enemy of the Republic. Our soldiers and sailors may go forth and conquer the world, but this will not guarantee the perpetuity of republican institutions nor preserve to mankind the inalienable rights of life, liberty, and the pursuit of happiness.

Mr. Chairman, I appeal to history for vindication of the statement that if this country is to become a great colonial power, we make the departure with the distinct understanding that such a course will compel a change in our form of government. When Great Britain succeeded in definitively establishing her authority over India, the British Sovereign was hailed as "Queen of England and Empress of the Indies." If we are to establish a government in the Philippines modeled upon the English plan, let some gentleman on the other side of the Chamber bring forward a measure declaring our Chief Executive "President of the United States and Emperor of the Philippines."

Mr. Chairman, shocking as is this proposition when expressed in exact terms, the truth is that if we are to establish in the Philippines a military government or any form of government which could not be established on this continent without violation of the Constitution; if we are to place in the President's hands the appointment of officials charged with the formulation of laws for the government of distant conquered possessions, manifestly it is true that under such a system the President of the United States would be invested with powers more arbitrary and authority more far-reaching than is exercised by the ruler of any power on earth, the Czar of all the Russias not excepted, and by legislative enactment we should declare that extra-constitutional powers can only be exercised in the conquered provinces. Therefore, if the Philippines are to be subjugated, annexed, and governed by methods unknown to the Constitution and not legally applicable to other territories subject to the control of the Federal Government, as to the provinces that are to be subjected to this accursed system let the American President be declared Emperor.

Mr. Chairman, the bill under consideration proposes to saddle upon this country an annual expenditure for the maintenance of the Army exceeding the military expenditures of Germany and Italy combined. Nay, more, treating pensions as a part of the military budget, this bill proposes expenditures which, added to appropriations for pensions, will swell our annual outlay for the

maintenance of our armies and the support of disabled and dependent veterans to a sum larger than the expenditures for similar purposes in France, Germany, Austria, and Great Britain combined.

This, in a country whose highest court has decided that the burden of Federal taxation must be borne by the producers and poor folk, is a policy which can not commend itself to thoughtful lawmakers. In the course of this discussion others on this side of the Chamber have gone into this phase of the subject extensively, and therefore I will not dwell upon it at great length. Militarism is the curse of the modern world, and I hope the time will never come when in this free country an expensive military establishment will be permanently quartered upon the taxpayers—a menace to liberty and a burden to the toilers, whose contributions to the Treasury maintain the Government.

But, Mr. Chairman, let us dismiss from consideration for the time being the effect of the proposed war of conquest upon our domestic institutions. Let us pass by the fact that to embark upon such an enterprise is to abandon the traditional policy of the country and spit upon maxims hitherto venerated by the American people. Let us ignore all questions involved except such as can be measured from the standpoint of the trader and the speculator, and in our determination of this problem be guided solely by the considerations that actuate patrons of the bargain counter. Let us make an inventory of what is to be gained by this bloody programme and an estimate of what it will cost us. Let us place in one end of the balance the blood and treasure it will cost to destroy and subjugate the Philippine Islanders and in the other the booty we will obtain by the prosecution of the unholy crusade. Let us tear from the literature of the Republic and efface from the memory of the people the maxims and tenets of liberty coined by Washington, Jefferson, Franklin, Madison, Adams, Monroe, and Lincoln, and set up as the embodiment of new ideals the equivocal platitudes and winning phrases in which the present Chief Executive has foreshadowed a course which, had it been proposed to our fathers, would have provoked universal reprobation and doomed its projectors to be pilloried in eternal infamy.

We are told by the advocates of forcible annexation that when we shall have suppressed the opposition of the natives—which, undeniably, will require enormous expenditures and the sacrifice of the lives of thousands of the American soldiers—a stream of wealth will pour into the coffers of American traders, merchants, and manufacturers. The basis of this optimistic prediction has not been disclosed. Mr. Chairman, it is a myth. That the Philippine Islands are fertile and productive is undeniable, but the inhabitants are small consumers of imported products, and there is no prospect whatever that they will ever become heavy patrons of foreign markets. Besides, it should be remembered that Manila is to be an open door to Philippine commerce. The President has said so. When we shall have annexed the islands at our own expense, the benefits of American occupation, if any benefits arise therefrom, are to be shared equally by all the nations of the earth. The importance of this latter consideration I can not at this time elaborate. It is sufficient to say that with an open door in the Philippines England, Germany, and Spain will continue to enjoy the lion's share of the profits arising from Philippine commerce.

Day after day the Administration newspapers are filled with glowing descriptions of the wealth of the Philippines, and defenders of the policy of forcible annexation profess to believe that no matter how expensive the war we are about to enter upon, ultimately the profits will exceed the expenditures.

Mr. Chairman, let us examine into the facts. Last year the foreign trade of the islands, including imports and exports, amounted to barely \$30,000,000, about one-fourth of the value of the Texas cotton crop.

A single Congressional district in Missouri consumes more manufactured goods in one year than are consumed in the Philippine Islands in two years. The commerce of Nebraska is probably five times greater than the commerce of the Philippine Islands. Some of us think American laborers are poorly paid, and yet the American section hand, who works for a dollar a day, receives twenty times the compensation paid to the Philippine laborer. Our farmers justly grumble at the low price of produce. What would they say if, like the Philippine Islander, they were compelled to sell chickens for 5 cents apiece and eggs at the rate of 4 for a cent? In conversation with a colleague a few days ago, I called attention to these low prices, which actually prevail in the Philippine Islands, and his reply was: "Well, where things are so cheap, nobody ought to starve." When I called his attention to the further fact that with 5 cents a day as the price of labor, chickens at 5 cents apiece and eggs at the rate of four for a cent were quite high enough, since at these prices it requires a day's labor to pay for a single chicken or twenty eggs, he changed his mind. I will state in passing that the low prices of poultry and eggs are not exceptional. The prices of other native commodities and products are correspondingly low.

Mr. Chairman, the earning power of a people measures its power to buy imported goods for consumption; and while reliable trade statistics as to the value of the products of the soil in the Philippine Islands are not available, it is only necessary to mention the price of labor and its products to set at rest the contention that their conquest and annexation will be followed by a great expansion of American commerce.

Sir, in every respect, the importance of the trade and resources of the Philippine Islands has been exaggerated, and current reports as to other matters of prime importance are equally misleading and unreliable. The number of islands constituting the archipelago has been placed at 2,000, 1,500, 1,300, 1,000, and as low as 600; the population at 15,000,000, 12,000,000, 10,000,000, 8,000,000, and Mr. Foreman, the writer of a notable book, in which he gives the fruits of thorough investigation and study of the Philippines during a residence of ten years, estimates the population at 6,000,000.

Fortunately it is not difficult to arrive at the extent and area of the habitable islands, but unfortunately there are in existence no data as to the population of the Philippines, except mere guesswork. One of the latest and, in my judgment, the best of the books on the Philippines thus far published is "The Philippine Islands and Their People," by Prof. Dean C. Worcester, who was recently selected by the President as a member of the commission sent to the Philippines on a tour of investigation.

Professor Worcester spent three and a half years in the Philippines and visited all the principal islands. His investigations were not confined to the seacoast towns nor to the islands inhabited by the Christian tribes. He penetrated the interior and explored the forests and mountains of Luzon, Mindanao, Samar, and half a dozen other islands. He acquired entire familiarity with the customs of the people—those generally mentioned as civilized as well as the Mohammedan settlements and the semi-civilized and uncivilized tribes, which comprise nearly one-half of the population. Professor Worcester gives a graphic and interesting account of his prolonged residence among the Filipinos; but when it comes to furnishing accurate information concerning the trade, or even the population of the islands, like other writers on the subject, he is compelled to depend upon guesswork.

Under such circumstances, Mr. Chairman, it has not been difficult for gentlemen to substitute for a precise statement of the basis of the claim that we are to be made exceedingly rich by the acquisition of the Philippines the general statement that they are exceedingly fertile and enormously rich in natural resources. This statement appeals powerfully to the imagination, and if booty is to be regarded as a sufficient incentive to set the American Army and Navy in motion, the picture thus presented by the new propaganda of violence and robbery may be expected to serve the purpose of the Administration.

Mr. Chairman, the paucity of accurate information concerning the Philippines is strikingly shown in the disagreement among writers who have undertaken to enlighten us as to their geography, trade, and population.

The reiteration of the statement that there are from one to two thousand islands in the archipelago is calculated to mislead instead of enlightening. Fifty, and probably a smaller number, of the islands contain at the least 95 per cent of their aggregate area and a larger proportion of their population.

The more important islands and their area in square miles are given by Professor Worcester as follows:

Luzon.....	41,000	Leyte.....	3,000
Mindanao.....	37,500	Negros.....	2,300
Samar.....	5,300	Cebu.....	1,650
Panay.....	4,600	Masbate.....	1,315
Palawan.....	4,160	Bohol.....	925
Mindoro.....	4,050	Catanduanes.....	450

Professor Worcester mentions 20 islands which contain areas of from 100 to 250 square miles: Basilan, Busuanga, Cullon, Marinduque, Tablas, Dinagat, Sulu, Guimaras, Tawitawi, Siquijor, Balabac, Sibuyan, Panaon, Camiguin, Romblon, Ticao, Burias, Bilikan, Surigao, and Polillo.

Assuming that the entire land area of the Philippines is approximately 114,000 square miles—the area given by Professor Worcester and all other writers on the subject—it will be observed that the islands of Luzon and Mindanao contain over one-half of it; that the twelve largest islands contain exceeding 106,000 square miles; and that, adding the estimated area of the twenty smaller islands, with areas of from 100 to 250 square miles each, we have in the combined area of the thirty-two largest islands 109,000 square miles. This leaves barely 5,000 as the area of the remaining islands of the group, nearly all of which are uninhabitable rocks, projecting above the surface of the sea. To call them islands is a misnomer.

But, Mr. Chairman, it is when we come to investigate the vital statistics of the Philippines that we find the greatest disparity between the statements of accepted authorities. One of our consultants states in a letter to the State Department that the islands contain 15,000,000 inhabitants, and several other writers, seemingly well-informed, place the number as low as 8,000,000. Foreman

says 6,000,000. In this respect, as in others, Spanish official statistics are wholly unreliable, but comparison of the estimates of the numerous authorities seems to warrant the belief that the Filipinos number about 10,000,000. Professor Worcester is of the opinion that of this number 5,000,000 are civilized or semicivilized. At least 4,000,000, and probably 5,000,000, are members of the Catholic Church, while the remainder are semibarbarous Mohammedans, numbering probably 3,500,000. The uncivilized Malayan and Negrito tribes number probably a million and a half.

The civilized Christian population predominates in Luzon, and outside of that island is found mostly at seacoast towns and in their neighborhood.

Mr. Chairman, in this connection I desire to call particular attention to the fact that if we are to attempt the conquest of the Philippine Islands, it is upon these Christian settlements—upon the civilized inhabitants of the island of Luzon and the important coast towns—and not upon the barbarians and savages of Mindanao and the Sulu group and in the interior of the other islands, we must first make war; and in my remarks, when I refer to the people of the Philippine Islands, I want it to be understood that I refer to the four or five million civilized Christian inhabitants and not to the Mohammedans and savages who have never been subjected to Spanish dominion, whose islands have never been conquered, and whose people have hitherto had no part in the struggle for Philippine independence.

From what I have said, Mr. Chairman, it will be observed that instead of 2,000 islands, 32 is the number comprising the Philippine group; the others are mere specks—most of them barren rocks projecting above the level of the sea and entirely worthless. Whether we accept the figures of Mr. Foreman, 6,000,000, or those given by one of our own consuls, 15,000,000, or fix the figure at 10,000,000, as giving correctly the population of the Philippines, is of slight consequence. The character and number of the civilized inhabitants of the islands are, however, matters of prime importance, and as to them we are not left entirely in the dark. We know that the island of Luzon is more thickly populated than the State of Missouri, and that a majority of the inhabitants are civilized, law-abiding Christians. We know that on the island of Luzon is a university with 2,000 students; a naval and military school with 500 students; numerous parochial schools, and educational institutions devoted to the sciences and to manual training. In the course of this discussion gentlemen have unhesitatingly declared that the Filipinos are a nation of savages; the intention being, I suppose, to justify the war of subjugation. Mr. Chairman, nothing could be further from the truth. I quote from Professor Worcester's excellent book this character sketch, in which a trusted appointee of the President summarizes his opinion of the Filipinos:

It is very often charged that the civilized native is hopelessly indolent. Indolent he is, but whether hopelessly so is another question, and first let me say that I have never yet seen a white man who was disposed to exert himself unnecessarily in the Philippines. Had I found such a one, I should have considered him very foolish. No one can work there as he would in a temperate climate and live.

Nature has done so much for her children in these islands that they have no need to labor hard in order to supply their few and simple wants.

There is no use in piling up money for the taxgatherer or the village friar to make way with, and I am bound to say that under existing circumstances they do well to take life as comfortably as possible.

Their laziness might be remedied by increasing their necessities. I do not mean that they should be loaded down with heavier taxes. They have a natural prejudice against paying something for nothing, which is about what taxation has amounted to in the past. If, however, they could be made to feel new wants of their own, they would work to satisfy them. In Siquijor, Bohol, and other islands where hard natural conditions make it difficult to earn a living, the people are noted for their industry and are consequently in demand as laborers.

The civilized Filipino certainly has many good qualities to offset his bad traits. The traveler can not fail to be impressed by his openhanded and cheerful hospitality. He will go to any amount of trouble and often to no little expense in order to accommodate some perfect stranger who has not the slightest claim on him, and he never turns one of his own race from his door.

If cleanliness be next to godliness, he certainly has much to recommend. Every village has its bath, if there is any chance for one, and men, women, and children patronize it liberally. Should the situation of the town be unfortunate in this particular, its people will carry water a great distance, if necessary, and in any event will keep clean.

Hardly less noticeable than the almost universal hospitality are the well-regulated homes and the happy family life which one soon finds to be the rule. Children are orderly, respectful, and obedient to their parents. Wives are allowed an amount of liberty hardly equalled in any other eastern country, and they seldom abuse it. More often than not they are the financiers of their families, and I have frequently been referred by the head of the house to "mi mujer" when I wished to make a bargain. Women have their share of the work to do, but it is a just share, and they perform it without question and without grumbling.

At vesper in the evening there is always a pretty scene. An instant hush comes over the busy village. In each house father, mother, and children fall on their knees before the image of some picture or saint and repeat their prayers. The devotion over, each child kisses the hand of its father and mother, at the same time wishing them good evening. He then makes an obeisance to each of his brothers and sisters, as well as to each guest who happens to be present, repeating his pleasant salutation with each funny bow. Host and hostess also greet one in the same way, and in remote places, where white men are a rarity, the little tots often kneel to kiss one's hand.

The civilized native is self-respecting and self-restrained in a marked degree. He is patient under misfortune and forbearing under provocation. While it is stretching the truth to say that he never reveals anger, he cer-

tainly succeeds much better in controlling himself than does the average European. When he does give way to passion, however, he is as like as not to become for the moment a maniac and to do some one a fatal injury.

He is a kind father and a dutiful son. His aged relatives are never left in want but are brought to his home and are welcome to share the best that it affords to the end of their days.

Among his fellows he is genial and sociable. He loves to sing, dance, and make merry. He is a born musician, and considering the sort of instruments at his disposal, and especially the limited advantages which he has for perfecting himself in their use, his performances on them are often very remarkable.

He is naturally fearless and admires nothing so much as bravery in others. Under good officers he makes an excellent soldier and he is ready to fight to the death for his honor or his home.

I once saw a man in Culaon who was seamed and gashed with terrible scars from head to foot. How anyone could survive such injuries as he had received, I do not know. It seemed that his wife and children had been butchered by four Moros while he was absent. He returned just as the murderers were taking to the boat. Snatching a machete he plunged into the water after them, clambered into their boat and killed them all. When one remembers the sort of weapons the Moros carry the thing seems incredible, but a whole village full of people vouched for the story.

Mr. Chairman, this testimony does not come from a source prejudiced against the policy of the Administration. It is the testimony of a gentleman who was lately honored by the President of the United States by appointment as one of the commissioners to examine into present conditions in the Philippines. Furthermore, Professor Worcester was at the time his book was written an avowed advocate of the establishment of an American protectorate, if not of annexation.

It is from a source friendly to the Administration that I draw this tribute to the good character of the people you are about to butcher, and, sir, I submit that it does not describe a barbarian, a ruffian, or a savage, nor is it calculated to inculcate the belief that a people such as is here described, once having indulged the dream of liberty and independence, will be content, after the expulsion of their ancient oppressor, to bow their necks to a new master.

Mr. Chairman, I commend to the attention of the gentlemen on the other side of the Chamber, who seem to be under the impression that the subjugation of this people can be accomplished by a few skirmishes and justified by wholesale denunciation of the Filipinos as barbarians and murderers, Professor Worcester's estimate of their characteristics, capabilities, and desires. It is an opinion based upon knowledge derived from patient and intelligent investigation, and I submit that it sufficiently refutes the assumption upon which the arguments of the supporters of the Administration are based. I have said on this floor, and I repeat it, that the people of the Philippine Islands will never again tamely submit to the imposition of an alien government.

If the United States are to acquire possession of the territory in the Philippines heretofore occupied by Spain, this can only be accomplished by a prolonged, bloody, and expensive war, and when we shall have expended hundreds of millions and sacrificed the lives of thousands of brave American soldiers, will we have acquired possession of the Philippine Islands? No. Like Spain, we may take possession of the towns on the seacoast, fortify them, maintain perpetually a standing army, with the distinct understanding that not a decade will go by without attempted revolution and bloodshed.

If gentlemen imagine that if to-morrow Aguinaldo's army should disappear from the field and resistance of our occupation of the islands should cease, that this would warrant the belief that thenceforth our usurpation of the government of the islands would be acquiesced in? Sir, history warns us to the contrary. Let gentlemen who indulge this illusion devote a single day to investigation and they will dismiss it. The Philippines have been the scene of recurring insurrections and attempted revolutions almost from the very date of Spanish occupation.

Professor Worcester gives partial details:

The first noteworthy uprising was made by the natives of Bohol in 1622. The causes which led up to it are the same which have provoked many of the more recent revolts; namely, the tyranny of the church and the burdensome taxes levied by church and state alike.

Another revolt occurred in northeastern Mindanao in 1629.

In 1649 the people of Samar rebelled, under the leadership of one Sumoroy. They killed a priest and sacked the churches along the coast. The revolt spread and the troops were dispatched into the interior to quell it. They failed to take Sumoroy, but found his mother in a hut, and, true to Spanish tradition, literally tore the defenseless old woman to pieces. Sumoroy was at length betrayed by his own people.

This uprising spread to other islands, and trouble arose in Masbate, Cebu, and Mindanao. In the latter island things assumed so threatening an attitude that a large force of infantry was sent against the rebels. The captain in command, being a diplomatist, first published a general pardon in the name of the King. He then made prisoners of the crowds of insurgents who flocked to his camp and sent them to Marila, where a few were pardoned and others executed, but it is said that a majority were made galley slaves.

In 1660 the natives of Pampanga province revolted, neighboring provinces joined in the rebellion, and one Andreas Malong was declared king. He organized three army corps, aggregating 11,000 men, and these were recruited on the march until they numbered some 40,000. Many Spaniards were killed, but the natives were finally defeated and scattered by a force ridiculously inferior to their own numbers.

In 1744 the despotism of the Jesuit priests caused an uprising in Bohol. The rebel forces were rapidly augmented by men who complained that while they were risking their lives in military service for the Government their homes were wrecked and their wives and families maltreated to secure the payment of tribute. The insurgents maintained their independence for

thirty-five years, at the end of which time the Jesuits were expelled from the colony.

In 1523 a body of native troops revolted, trying to seize Manila and place their captain at the head of the government.

Other uprisings followed, among which may be mentioned one in Cebu in 1577 and one in Negros in 1544.

The most formidable revolt before that of 1896 occurred at Cavite in 1572. There were conspirators at both the arsenal and the capital, and it had been agreed that when the opportune moment came the Manila contingent should signal the fact by discharging a rocket. The Cavite insurgents mistook the fireworks sent up at a local celebration for the expected signal and began operations prematurely. Hostility to the Spanish friars was at the bottom of this uprising also.

I know it is contended that these revolts against Spanish rule were provoked by oppression, extortion, and cruelty, and that by giving the Filipinos a stable and beneficent government, presided over by an officer of the Army and administered by appointees of the President, we would win their gratitude. But, Mr. Chairman, if we can not prevent domestic public officials from acts flagrantly lawless, what grounds have we to hope for realization of these rosy expectations? Upon what do the President's defenders base the belief that in the Philippines, 10,000 miles from the capital, officials chosen from the retinue of the reigning politicians, or, to state it another way, from the ranks of the great army of pie hunters who swarm about our deputy presidents, would prove so immaculate as to commend a carpetbag government to the natives?

Gentlemen, if the Philippine Islands are to be annexed, it must be done by force; and let me advise you to study the history of Spanish occupation before arriving at the conclusion that, because this country contains 75,000,000 people and innumerable resources, therefore we may enter upon this enterprise with full confidence that it will be easily accomplished. In the numerous revolts which have occurred against Spanish domination only a small number of the inhabitants have taken part. Property owners, traders, and beneficiaries of the Government have preferred Spanish rule to the disorder and losses imposed by war. The civilized inhabitants are almost without exception devout Catholics, and the powerful influence of the clergy has been continually exercised against the revolutionists. Three hundred years of Spanish occupation has resulted in imparting to the natives of Luzon and the coast cities of the northern islands of the group the language, and, to some extent, the ideals and customs of the Spaniards, while in the southern islands Spain acquired no foothold until in 1876. Luzon and the coast cities of neighboring islands are Catholic, and therefore, in a large degree, Spanish. Mindanao and the neighboring islands are Mohammedan. For three centuries after the Spaniards took possession of Luzon the northern group of the archipelago was at war with their Mohammedan neighbors.

During this period Spain stood as the champion of the faith, and her devout subjects in the Philippines eagerly followed the banner which to them was the symbol of their religion. From that day until the surrender of Manila, the Spanish army of occupation had been composed largely of natives and a majority of the Philippine Islanders remained loyal to the Spanish Crown. By our invasion of the islands and attempt to subjugate them we unite all sections and all factions. Catholic and Mohammedan—the civilized and amiable natives of the north and the implacable Moros of Mindanao—will vie with one another in defending their native land, and while I do not say that this great country can not take and hold the seaport towns and gradually by a war of extermination extend its dominion to the interior of the islands, I do say that investigation has convinced me that, in order to do so, we must devote decades to the ghastly work and expend a larger amount of money and sacrifice a larger number of lives than in our great civil war.

If we are to subjugate and occupy these islands, the work must be thoroughly done. Americans will never be content with their partial occupation, and to render our tenure there more extensive than the nominal occupation maintained by Spain for over three centuries, we must employ large armies, send thither a flotilla of gunboats, and consign thousands of brave American soldiers to unescapable death. For, Mr. Chairman, at least one thing is definitely known concerning the Philippine Islands: The climate is absolutely fatal to the European or American who attempts the performance of severe manual labor in the open air. Recall the frightful experience of the brave men who stormed San Juan Hill and El Caney, and be prepared for similar reports from the battle front in the far-away Philippines. Twenty thousand American soldiers are already there and others are being forwarded by the shipload. A majority of them are as surely doomed to premature graves as if, instead of sending them on this desperate mission, we had loaded them with chains and cast them into the sea, and of those who survive few will return to us with health unimpaired.

Mr. Chairman, it is worse than impolitic to attempt this desperate work. It is sheer madness. I believe, sir, that gentlemen on the other side of this Chamber—even those who have not devoted an instant to the investigation of the subject—at least partially appreciate the truth of what I am saying, and if they could be induced to fully inform themselves they would not con-

sent to perseverance in this wretched programme. I warn them that in sending vast armies to the Philippines we invite dangers not to be minimized by the bravery of our soldiers or the weakness of their adversaries. The fatal climate of the Philippines will kill our brave boys by thousands. The poisonous breath of the pestilence, and not the primitive weapons of the natives, is what we have to dread. If you doubt this, listen to what Professor Worcester has to say on the subject:

Numerous contradictory statements have appeared as to the climate and its effects on white men. One author calls it "lovely;" another is equally positive that it is "deadly;" a third assures us that "for a tropical climate that of the islands may be considered healthful for the people of the white race;" while a fourth asserts that "the climate of the Philippines is particularly severe and unhealthy," and backs his assertion by showing that it killed 25 per cent of the Spanish troops sent out in 1896 within fifteen months of their arrival.

With the exception of the first all are right, but I confess that I can not see how anyone can honestly use the word "lovely" in this connection.

There are some localities in which it might perhaps apply during two or three months of the twelve, although I have never yet experienced it at sea level a day when a white man could endure severe physical exertion without suffering from the heat.

Briefly stated, the facts are as follows: If one is permanently situated in a good locality where he can secure suitable food and drinking water; if he is scrupulously careful as to his diet; avoids excesses of all kinds, keeps out of the sun in the middle of the day and refrains from severe and long-continued physical exertion—he is likely to remain well, always supposing that he is fortunate enough to escape malarial infection.

I knew an old Spaniard who, at the end of thirty-nine years' residence in the Philippines, was able to boast that he had not been ill a day. He had always been so situated that he could take care of himself, and had done it.

But how is it with the explorer, the engineer, the man who would fell timber, cultivate new ground, or in some other way develop the latent resources of the country? That, as Mr. Kipling so often remarks, is another story. It is likewise a very different story, and after traveling in the provinces for three and a half years I think I may fairly claim to know it. Anyone really exposed to the climate under such circumstances will find it severe. He can not humor his digestive apparatus, for his bill of fare will be limited to what he can carry and what the country affords, and he will be fortunate indeed if, sooner or later, he does not suffer severely from bowel trouble. He will be more than fortunate if he escapes malaria.

Our work sometimes made it necessary for us to visit localities where fever was known to be prevalent, and we came to look upon it as one of the necessary evils of existence. A temperature of 108.5 was not comfortable, but it did not occasion us any alarm. After our third trip to Mindoro the temperature of one member of our party touched that mark on ten successive days; and I may add that although I have visited Mindoro three times with other white men and each time have had a considerable number of natives in my employ, I have never yet escaped malaria, nor was any other member of our party, white or native, more fortunate.

I suppose that Professor Worcester will be accepted as trustworthy authority as to Philippine climate, and I now quote him as to the question of Philippine highways. It will be remembered that at Santiago it was the impassability of the roads and the severity of the climate that in three days prostrated almost our entire army:

In the vicinity of the larger towns one occasionally finds what purports to be a carriage road. In the rainy season it is sure to be impassable, while even in the dry months one is likely to be brought to a sudden stop by a ruined bamboo bridge or a washout that has never been repaired. Many of the paths which by courtesy are called roads are reduced to ditches, pools, and sloughs during the rain and are utterly impracticable for a man on horseback, while there are plenty of roads on which a horse is worse than useless at any time.

Although the lack of bridges is of course not so serious a matter for a rider as for one who attempts to drive, it is not at all uncommon to encounter streams too deep or wide for fording or swimming. * * * One's baggage must be planned so that it can be borne on men's backs or suspended on poles between pairs of carriers, unless one would part company with it; for while it can ordinarily be dragged along on sledges by the slow-plodding carabao, sooner or later one is sure to come to a place where it must be carried by coolies or left behind.

Mr. Chairman, to send an American army into the interior of any one of the Philippine Islands would be to invite its destruction.

It requires no expert in military science to comprehend the meaning of what I have read. Recall the horrible experience of the British soldiery in India—a country whose civilization antedates recorded history—and with that standard of comparison, tell me what would become of an American army sent to conquer the interior of Mindanao or Luzon.

But, Mr. Chairman, we are not left to conjecture upon this point. Professor Worcester gives an account of a military expedition undertaken in the island of Mindanao by General Weyler five or six years ago. Here it is:

Mindanao is nearly as large as Luzon, and many times larger than any of the remaining islands of the Philippine group. Until within a short time nothing has been known of its interior; but the priests of the Jesuit Mission have persistently and fearlessly pushed explorations until they have gathered data for a fair and accurate map.

Most of the wild tribes are of Malayan origin; but there still remain in Mindanao a considerable number of the little black Negritos, and with them some of the Malay tribes have intermarried.

The warlike Moros are especially dreaded. They are found along the southern and southwestern coasts, and near the large rivers and inland lakes.

Although the island is nominally divided into provinces, Spanish control is, as a matter of fact, effective only in the narrow and more or less isolated strips along the sea and near a few of the rivers, which afford the only means of communication with the interior. There are no roads, and the facility of attempting to move troops inland was beautifully demonstrated by General Weyler during our second visit.

For some reason best known to himself, he saw fit to send in an expedition against the Moros. It was very broadly hinted by his countrymen that he had an itching for the rank of marshal and hoped to win it. Whatever the

cause, all the available forces in the archipelago were concentrated and marched into the Mindanao forest. An officer who accompanied the expedition told me that the enemy simply ran away and the Spaniards were never able to overtake them, while 80 per cent of their own men were disabled by starvation and fever. Although the starvation might have been avoided, it is tolerably certain that the fever was inevitable.

The mortality was certainly terrible. We saw the wreck of the expedition come back, and in spite of the fact that the priests from all the towns near Zamboanga were called in they could not shrive the soldiers as fast as they died. Sick men were sent away by the shipload.

Mr. Chairman, to understand the full significance of the misfortunes suffered by Weyler's army it is necessary to bear in mind that fully three-fifths of his soldiers were natives and the remainder Spaniards who had been in service in the Philippines long enough to become, as far as a European can become, acclimated.

Could an American army expect to fare better? Would it not suffer even greater disasters?

And, sir, when on account of these insuperable obstacles to the success of this monstrous scheme we have protested against sending the American soldiers into the Philippine jungles to wage a war of conquest, gentlemen who seem not to know the nature of the undertaking in which the President has involved the country have pretended to believe we were actuated by hostility to our countrymen in arms. Those who insist upon sacrificing thousands of their fellow-citizens to a cause they have never dared to define contend that the mere fact that they are "standing by the Administration" constitutes them sole champions of the brave Americans they are about to consign to death.

Sir, at this very hour a severe censorship of the news sent out from Manila prevents free communication between the American people and the soldiers encamped at Manila. I warn gentlemen that they can not perpetually suppress accurate tidings from that quarter of the world. At no distant day the appalling truth will be told, and when that day shall arrive I warn the gentleman from Illinois [Mr. CANNON] that he and his Republican colleagues who have urged on this indefensible crusade, and not those who have opposed it, will be called to account by the people of this country.

Mr. Chairman, we are now approaching what is known as the sickly season in the Philippines. Do gentlemen know what that means to the American soldiers quartered at Manila and Iloilo? Manila is worse than a pesthouse. Long regarded as a city particularly cursed by the prevalence of diseases attributable to filth, its occupation for a lengthened period by the Spanish had rendered Manila most obnoxious when our army appeared upon the scene. Our soldiers now occupy the filthy region in which the Spaniards were mowed up for over three months.

Mr. Chairman, under normal conditions, in time of peace, an American army quartered there throughout the sickly season would be decimated by disease. The old part of the city is walled and surrounded by a moat, whose waters contain the accumulated filth of three centuries. For years the Spanish authorities have recognized the fact that if the city is to remain tenable at all this putrid relict of the early days of Spanish occupation must be somehow disposed of, but the task seems an impossible one. It is believed that to dredge this moat would create a pestilence which would spread throughout the entire archipelago. I quote from Professor Worcester's book a brief reference to the sanitary conditions at Manila:

Manila is entirely without any adequate system of drainage; canals radiate from the Pasig River in various directions, and into these the filth of the city is washed or dumped, if, indeed, it is not allowed to accumulate about the houses. In the quarter called "Tondo," where the native fishermen, canoe-men, and laundrymen live, the ground is low and the surface water does not run off readily, but gathers in putrescent pools under the huts during the rainy season. With the coming on of the dry season stinking black mud is uncovered beneath these huts and in the canals, and fever follows.

The walls are completely surrounded by a moat, which is supposed to be filled from the river. The sluices are out of repair, however, and the moat has not been cleaned for years. It is half full of mud and filth; its waters are choked with putrescent vegetable matter, and it is undoubtedly a menace to the city, yet the authorities fear to disturb it lest they breed a pestilence.

Mr. Chairman, in view of these facts, do the gentlemen feel quite sure that in committing the country to a war of conquest in the Philippines they become the friends and champions of the American soldier? Is opposition to this atrocious policy evidence of a want of devotion to the flag or of concern for the welfare of the country? I have felt from the beginning of this controversy that the country was about to enter upon a policy dangerous to its institutions, subversive of republican ideals, involving an appalling waste of treasure and the unnecessary and wicked sacrifice of thousands of lives. Entertaining this opinion, I have felt called upon to interpose strenuous objections at every stage of proceedings which, little by little, have led the country into difficulties from which it will now be difficult to extricate it. I have done so knowing that demagogues and pretenders would attempt to attribute opposition to the Administration programme to mere partisanship; but I challenge attention to the fact that from the day

we declared war against Spain down to the proposal of a war of conquest in the Philippines I supported every measure necessary for the prosecution of the war for Cuban independence. Here I draw the line.

Mr. Chairman, I do not feel at liberty to conclude my remarks without defining precisely my position as to what policy should have been pursued by our Government in the Philippine Islands. As early as last July I gave publicity to my views, and subsequent events have satisfied me of their correctness. I believe that at the end of the war with Spain we should have announced to the Philippine islanders our intention to hold Manila against all comers and our determination to guarantee to the people of the islands the right of self-government. We should have treated the Filipinos as we have promised to treat the Cubans.

And, sir, had we announced that such was our intention the bloody conflict now in progress would have been impossible. We could have said to the Filipinos, "You are too weak to defend yourselves against the aggression of foreign powers. You can not fortify Manila Bay and its approaches nor maintain warships with which to defend it. American possession of your great city and an avowal of America's intention to safeguard your country against invasion insure your safety, for none will dare to provoke the United States. The American flag shall henceforth be to your country what it is to our own—the symbol of liberty and independence."

Had we done this the glory of our arms would not have been tarnished by disregard of our obligations to the humble islanders, who, under the leadership of Aguinaldo, fought as our allies for the conquest of Manila, and were taught to regard the advent of our forces in their country as a guaranty that its independence was at hand.

Mr. Chairman, several days ago I took occasion to point out the necessity of maintaining in the eastern Pacific an American naval station and my reasons for believing that such a course was absolutely indispensable to our commerce in Asiatic countries. I forbear repetition of my remarks on that subject. I also dwelt with some emphasis upon the fact that to wage a war of conquest against the Filipinos was to violate our solemn obligations to allies who had blindly trusted the American Government. I give notice that when opportunity presents itself I will address the House on this subject and prove by incontestable documentary evidence—evidence drawn from the archives of our State Department—the correctness of that assertion.

In conclusion, let me warn Republican leaders who have questioned the motives of the opposition to the Administration programme that we have barely entered upon a sea of troubles which will in the end engulf and destroy the authors and promoters of a war waged against a friendly people without just cause, and avowedly for the purpose of conquest and robbery. Wait until the death roll of the victims of this insane undertaking is complete; wait until our people have counted their dead; then prepare for a reckoning, and be assured that those responsible for the bloody work you are defending will be called to account. [Applause.]

Pension Legislation.

SPEECH

OF

HON. GEORGE W. RAY,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899,

In answer to inquiries as to the number of pension bills passed, the amount they carried, and the expenditure they add to the pension roll.

Mr. RAY of New York said:

Mr. SPEAKER: At the close of the Fifty-fifth Congress of the United States I deem it appropriate and proper to give a summary of the work of the Committee on Invalid Pensions and of that of the Committee on Pensions, including a statement of the amount that will be added to the pension roll by way of annual charge on account of such legislation.

During the Fifty-fifth Congress, three sessions, there have been introduced into the House and referred to the Committee on Invalid Pension bills as follows:

House private.....	3,919
Senate private (bills that first passed Senate)	369

Total private bills referred to Committee on Invalid Pensions	4,287
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Introduced into the House and referred to Committee on Invalid Pensions of general or public bills, as follows:

House bills.....	152
Senate bills.....	5

Total general bills..... 157

Introduced into the House and referred to the Committee on Pensions, as follows:

House private.....	683
Senate private (bills that first passed Senate).....	91

Total private to Committee on Pensions..... 774

Total private pension bills referred to both committees..... 5,061

House general bills to Committee on Pensions.....	27
Senate general bills to Committee on Pensions.....	3

Total general bills to that committee..... 30

Total bills to both committees..... 5,248

The Committee on Invalid Pensions has reported favorably to the House as follows:

Of House private bills.....	415
Of Senate private bills.....	209
Of public or general bills.....	5

Total reported favorably..... 629

Actual adverse reports to the House..... 37

Total number reported..... 666

More than one thousand additional bills were examined and laid aside for various reasons. Every private bill reported favorably to the House, except two, and thirteen where the claimants died before action, in all fifteen, were favorably acted on by the House. In one of the two cases referred to it was disclosed that the claimant is now receiving a pension by special act, and the House therefore laid the bill on the table. In the other case the fact was disclosed that the pensioner is already receiving the same amount recommended by the committee.

The Committee on Pensions reported—

Of House bills, private.....	77
Of Senate bills, private.....	49

Total reported by Committee on Pensions (includes 8 adverse reports)..... 126

Total passed from Committee on Pensions..... 114

Private bills reported favorably by both committees..... 742

Total private pension bills passed from both committees..... 723

Of the general bills reported, three passed the House, two passed the Senate, and one, that relating to the payment of a part of the soldier's pension to his wife or children when he deserts them or becomes the inmate of a home, and which also provides that a woman who hereafter marries a soldier and does not live with him until his death shall not draw a pension, became a law, while that relating to procedure in pension cases was recalled from the President by the Senate.

The private pension bills reported favorably from the Committee on Invalid Pensions, and which passed the House (both House and Senate bills), are of the following character, viz:

WIDOWS' ORIGINAL.

For the benefit of the widows of private soldiers.....	45
For the benefit of the widows of commissioned officers.....	41

Total widows' original..... 86

WIDOWS' INCREASE.

For the benefit of the widows of privates.....	45
For the benefit of the widows of commissioned officers.....	25

Total widows' increase..... 70

NURSES.

Total number nurses..... 23

There is a general law granting pensions to nurses, but these required special action because of defects in employment or for other good reasons.

DEPENDENT MOTHERS.

Total number dependent mothers..... 32

DEPENDENT FATHERS.

Total number dependent fathers..... 12

DEPENDENT CHILDREN.

Total number permanently helpless and dependent children (so from childhood)..... 33

REMARIED WIDOWS.

Total remarried widows..... 24

No pension has been restored to the remarried widow of a soldier unless the following conditions existed: She must have been the wife of the soldier during the war; must be now unmarried, a woman of good character, and in necessitous circumstances.

SOLDIERS AND SAILORS' ORIGINAL.

For the benefit of privates.....	50
For the benefit of officers.....	23

Total original soldiers and sailors..... 73

SOLDIERS AND SAILORS' INCREASE.

For the benefit of privates.....	208
For the benefit of officers.....	61

Total number increase soldiers and sailors..... 269

It will be noted that the number of widows benefited by these bills is..... 180
That the number of soldiers and sailors benefited is..... 342

No private pension bill has been reported except on proof that the beneficiary of the bill is a person of good character and habits, in necessitous circumstances, unable to earn a support, and having no one on whom to rely for maintenance. Collateral relatives have not been considered, except to reject their bills, and civilian employees of the Army, unless they took part in the fighting and received injury and disability in so doing, have been refused consideration.

In no case (with one exception, that of a private soldier) has a pension been granted or increased to a sum in excess of \$50 per month. The committee has steadfastly refused, notwithstanding very numerous precedents, to grant or increase a pension to a widow in excess of \$50 per month, however high the rank of the soldier on account of whose service the pension has been sought. This position was sustained by the House and always prevailed in conference between the Senate and House. Fifty dollars per month has been the maximum when death was due to service, and \$30 per month the maximum when death was not of service origin. These rates, \$20 increase above the amount given by the general law in the first-described cases and \$22 increase in the last-named cases, have been given only in cases of extraordinary merit and peculiar surroundings.

Increases of pension granted by special act of Congress have been refused, and it has been insisted that the claimant must have first exhausted his or her remedy under the law at the Bureau of Pensions before coming to Congress, that being the tribunal established by law for the adjudication of pension claims.

The character of the bills reported from the Committee on Pensions (which has jurisdiction of Revolutionary, war of 1812, Mexican war, and Indian war claims) is as follows:

Soldiers' original—

Privates.....	26
Officers.....	0

Total soldiers' original..... 26

Soldiers' increase—

Privates.....	33
Officers.....	3

Total soldiers' increase..... 36

Widows' original—

Privates.....	25
Officers.....	4

Total widows' original..... 29

Widows' increase—

Privates.....	18
Officers.....	5

Total widows' increase..... 23

One failed to receive the President's signature.

Total number of widows benefited by bills from both committees is..... 282

Total number of soldiers and sailors benefited by bills from both committees is..... 404

These bills add to the pension roll per annum as follows:
 Those from Committee on Invalid Pensions..... \$100,740.00
 Those from Committee on Pensions..... 11,964.00

Total additional expense to roll per annum.... 112,704.00
 Addition per month..... 9,392.00

(As to details of each individual case, see RECORD of February 25, 1899, pages 2538, etc.)

This is an average of \$13.55 per month in each case, 693 special bills having become laws.

In the Fifty-fourth Congress the addition to the roll was, 378 special pension acts, \$89,559.

An average of \$19.74 per month in each case.

The Fifty-third Congress passed 119 special pension acts.

The Fifty-second Congress passed 217 special pension acts.

Mr. Speaker, some slight error may have crept into these figures, but they are substantially correct.

Army Reorganization.

SPEECH

OF

HON. C. A. BARLOW,

OF CALIFORNIA.

IN THE HOUSE OF REPRESENTATIVES,

Monday, January 30, 1899,

On the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes.

Mr. BARLOW said:

Mr. SPEAKER: I am opposed to the policy of the Administration. Of course, some one says the President has no policy. True, in one sense of the word, he has no open and avowed policy, but at the same time no man who has followed his course in this whole Philippine matter can for one moment doubt that he is trying to commit this country to the policy of having outlying colonies.

I for one am opposed to having the curse of the colonial system of government grafted upon this country. These United States were formed by people who revolted from that very form of government and the abuses that always accompany it. I do not believe in the justness of the system, and can not see how our people are to derive any benefits from it in any way whatever.

I am not an expansionist in the sense of the word that I am in favor of conquering the Filipinos and forcing them to submit to our dominion even if we have to exterminate half of them while convincing them of the blessings that we want to bestow upon them. I do not believe that the interests of either the Filipinos or ourselves will be advanced by carrying on a bloody war of conquest and compelling them to submit to our superior force. They are of an entirely different civilization from ours and never will be able to become fit to be classed as American citizens. The less we have to do with the Asiatic hordes of the East the better off we will be. We have nothing to gain and everything to lose in an abandonment of the Monroe doctrine.

Let us assist others to establish for themselves the form of government that we believe the whole world should be under—"a government of the people, by the people, and for the people." We have, by minding our own business and following the lines of policy mapped out by our fathers, reached a point that places us in the lead of all nations—commercially and otherwise. Why should we change from that policy now? We can give no excuse except that of "greed."

Why should we enter into the broils of all of the land-grabbing nations of the Old World?

Why should we enter upon a line of policy that will compel us to have a large standing army to be maintained by taxation at the expense of the people of this country? And besides the expense of this standing army, all men who have read history know that a republic can not endure long where the people are compelled to maintain large standing armies. A standing army means militarism; and this means the end of any republican form of government. All history proves this. Why should we lose the great advantage we now possess of being by ourselves and so situated on the map of the world that every move of all other nations only tends to add to our greatness?

No; I am against it; and if I am the only member from the Pacific coast who lines up that way, I shall vote against the policy of colonial possessions. I am aware that the "fad" of to-day is to howl for the whole earth, if we could get it, but the time will come, and, in my judgment, very quickly, when the masses of the toilers will see that the civilization of the Asiatic is not what we want to rub up against.

Why, these fellows who are now shouting "expansion" should first repeal the Chinese-exclusion act to be consistent.

I for one do not care to have my country take upon itself the uplifting of the mongrel hordes of Asia, at least not until it has given to our present possessions a government that will in more ways than one be much changed from what it is to-day. We have more than enough to attend to in the way of civilization right at our own doors.

I am reminded by many of these "rooters" that they much resemble the manner of women who are so ardent in the work of saving the heathen of other lands that they neglect their own little ones, and they run about the streets ragged and forsaken, while their mothers—philanthropic creatures—are busy making red flannel shirts for the heathen of far-away and barbaric isles; while many of our cities teem with little ones who are freezing, perchance; while our busy cities teem with thousands who never taste the joys that God intended all of his people should have, free; aye, while every day sees thousands in this land pine away and die for lack of the mere necessities of life; while the laws of the land give to the few the results of the toil of the many; while corruption and bribery are rampant from one end of the land to the other.

Every man knows that I have not overdrawn the picture; and it does seem to me that while these are the conditions here at home we can do nothing better nor more Christianlike than to devote our very best energies and all of the force that we have to the uplifting and upbuilding of this our own beloved country.

I am one of those who believe that the old saying is correct: "He who keeps his own house in order best fulfills his duty as a good citizen." I believe in America for Americans, in the broad sense of the word; also that the aptness of the saying applies to other parts of the earth, and that "Philippines for Filipinos" is sound doctrine.

Let us stop and consider what this following the President is leading us into. Let us see where this "going it blind" will land us.

In the first place, we have paid \$20,000,000 for "trouble" 8,000 miles from home. What fools we are to borrow trouble and pay cash in advance for it. And the money consideration is of no consequence whatever when we think of the lives of our brave boys who are being sacrificed in that far-away land in this attempt to secure this "trouble" that we have already paid for, cash down.

Why, do you ever stop to think that the end of this policy will make of this country of ours, that we all love so well, a taxgathering borough to pay the cost of conducting the conquest of this "trouble?" We are already preparing for a standing army that will increase the cost of that branch of the Government from less than \$25,000,000 to from \$100,000,000 to \$125,000,000 per annum!

Also increase the cost of the Navy from \$40,000,000 to \$50,000,000 per annum! And then, in addition, it is proposed to build up a shipping to carry this immense trade which we are to get by this policy in the East by passing what is called the Payne-Hanna bill, that will add another \$100,000,000 per annum to the already overburdened taxpayers. And then another small item that will look well in print is the \$3,000,000 that we are paying the Cuban army—"bribe money!"

These are a few of the items that we will have to pay as a result of the purchase of this "trouble" in the Philippines. Many say that we were forced into this position against our will, that it was destiny, and many other excuses—all more rot. We never would have been engaged in this attempt to secure this "trouble" after having paid for it if President McKinley had not insisted upon this provision in the treaty of Paris.

The Spaniards did not want to cede it to us. And we would not, of course, consent to let them continue to hold it and misgovern the people. But we could have taken it, as we have taken Cuba, and given the people to understand that we were only there temporarily and would retire and turn their country over to them as soon as they were in condition to give to themselves a stable form of government.

If we had proceeded in this way, in my opinion there would not have been any conflict in the Philippines, and instead of war and misery of to-day we would have had peace and quiet and the good will of the whole civilized world. And I believe to-day, if we would announce to the natives of the islands that we had no intention of annexing them to this country, but were only there that "a government of the people" might be established, that all conflict would cease, and our soldiers would be sacrificed no longer to this policy of "imperialism."

All this country has any use for in that part of the world is a coaling station, and with that we will be a thousand times better off than with the whole archipelago. With the expenses of the Government running way ahead of the revenues; with the deficit for this fiscal year, as estimated by the gentleman from Illinois [Mr. CANNON], at over \$150,000,000—and this in spite of the war revenue, amounting to over \$100,000,000, which he also tells us will have to remain for some time to come, in order to supply the deficit of the present tariff law—I repeat, with all of these facts

staring us in the face, is it not time to stop and consider whether we are "drifting?" Why, we are beginning to be niggardly in the expenditure of money at home in the development of our own resources and in the building up of our own country, and all on account of these excessive expenditures to pay the cost of corralling this "trouble" that we paid for in advance.

Trouble comes dear at any price and sometimes it is a gift "as free as the air," but it does seem to me that we present the spectacle of the age—a nation paying millions of dollars for trouble and at the expense of the development of our own home interests. I am opposed to this "cheeseparating policy" when it comes to home matters. I am in favor of progress and advancement at home. Real progress, like charity, should begin at home. It is folly, ay, worse than folly, to shut our eyes to the needs at home and rush thousands of miles from our shores to find an outlet for our zeal to serve humanity. There is plenty to do at home.

It will be many generations before we will have fulfilled our duty to ourselves as a nation. Let us devote all of our efforts to building up and perfecting our own Government, that its superiority will challenge the admiration of the whole civilized world, and all people will hasten to follow in our footsteps and profit by our example. Ay, let us aid all who will to set up for themselves a similar government, that the blessings of liberty and equality may be enjoyed by all nations.

This should be our mission, and in working for these blessings for all civilization we are fulfilling the highest duties of citizenship. There seems to have been a studied attempt to misrepresent the position of the men who criticize the policy of an increased standing army and colonial expansion. And it is unfair, and those who make these criticisms know that they are simply playing for "political buncombe."

I am willing to grant to the President every dollar he needs and as many men as he requires to end this war and the conditions that have grown out of it. I would offer one suggestion to the President, and while doing so do not want to be considered as a traitor, and that is this: Let him get rid of some of the "rubbish" that now cumbers the War Department and has made us ashamed of ourselves as a nation during the past few months and place men with common ability and integrity in charge.

I refer to no one in particular, but would offer another suggestion—that he commence at the top. In fact, this talk about increasing the standing army at this time is very much out of place and does not meet public favor, and certainly will not while such men as the present Secretary of War hold places of power in that Department.

The gentleman from Iowa [Mr. COUSINS] says that the real opposition to an increase of the standing army comes from those who do not like to see the Federal authority, in the shape of soldiers and the flag, in their respective States, or words to that effect. He says that we have needed this standing army even before the present trouble with Spain.

He comes out boldly for a large standing army in this country of ours for the purpose of maintaining "order" among ourselves. Well, this is the direct point at issue and the real purpose of the increase of the standing army. It is for home use and not for any colonies.

As for myself, I am opposed to the increase of the standing army for home use one single man. In fact, I think that we have less use for a standing army than we have had in the past. Its use in the past has been to attend to the Indians on the borders of civilization, and that necessity is almost a thing of the past. No man is opposed to the Army because he does not like to see the soldiers and the flag in his own State and everywhere in the land. Not one man is opposed to it for this reason.

We all love the flag as well as the gentleman from Iowa; but is it necessary to have it bolstered up with military pomp and parade in order to command his respect? I do not imagine so for one minute, and I always want to reverence the old flag. But when the time comes—God forbid the day!—that it will not be revered and welcomed in any part of this land without being accompanied by an exhibition of force, then let me say frankly I do not think that it will be representative of that which should command of anyone respect or reverence.

If the men who are trying to fasten this large standing army on the country will frame a bill that will not increase the standing army at all, and at the same time ask for all needed forces to provide for the present emergencies, my candid opinion is that such a bill will pass this body without any opposition—pass as did the \$50,000,000 appropriation, pass as did all other measures necessary to carry on this war at the beginning, when it was a war with an avowed purpose, when it was a war for the uplifting of humanity, when it was a war for freedom and liberty, when it was a righteous war, when it was not tainted with corruption and greed.

We have much that can be set up as a model in government to-day. But can we not make a few improvements at home? Can we not think of some lines of civilization that would do for home consumption? Have we need to stray off to the end of the

earth to find work for willing hands of those who want to aid and assist their fellow-man? Have we no heathen at home who need our attention? Are we not straining at a gnat and swallowing a camel?

The Monroe doctrine is a good one, and, moreover, under its benign influences we have developed into the mighty nation of the world to-day. We lead in all that goes to make up the best part of national life. Let us cling close to that which has been tried and found "not wanting." England is apparently standing at our side urging us on in this "new departure."

She has never been our friend. In fact, she has ever been our enemy in the hour of need and distress. She is not our friend to-day only in so far as she may be able to use us for her own selfish purpose. Andrew Jackson said that "banks are more dangerous than standing armies."

What would he say of a nation where the banks dominated the financial policy and were backed up by a standing army? No; let us pause and consider well before we enter upon a course that, when once adopted, it will be almost impossible to abandon. The United States can never make of the Philippines a part of this country; therefore we are almost false to our teachings when we enter upon any line of policy that will compel us to retain possession of them.

Let us extend to them the right hand of fellowship in their heroic efforts to frame for themselves a government of their own. And no matter how long it may take them to evolve into a people capable of self-government, they must go through the preparatory stages in order to be qualified to enjoy the full blessings of such a form of government. We can never teach it to them under a military form of government. They must learn it for themselves.

Naval Appropriation Bill—Armor Plate.

SPEECH

OF

HON. WILLIAM S. KIRKPATRICK,

OF PENNSYLVANIA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, February 23, 1899.

The House being in Committee of the Whole House on the state of the Union, and having under consideration the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes—

Mr. KIRKPATRICK said:

Mr. CHAIRMAN: I take it that this is purely a business question presented for our deliberate and dispassionate judgment, and that we should not discuss it in any other spirit than that born of an honest desire to secure the best and most satisfactory return for the outlay contemplated in this appropriation. We should seek to carefully inform ourselves with a view to determining what is most advantageous for the country and procuring as promptly as possible and from the very best sources of supply the armor needed for our new battle ships and cruisers. If there is any other motive actuating gentlemen on this floor, if there is the covert purpose to serve some local interest at the expense of the true interests of our nation and its Navy, if in so persistently and intemperately urging the building of a Government plant for the manufacture of this armor in some particular community there is veiled an insidious scheme to secure some imagined local benefit at the sacrifice of the common defense and welfare, no terms are too strong in which to stigmatize such perversion of the proper functions of a national legislator.

I have no fault to find with that zeal which should animate and prompt a member to serve his constituents, but let him come out in the open and frankly avow his real object. But where it is a question which concerns the Government of the country and the success of public measures involving the perfection of its armaments and the means of enhancing its security and its prestige, let us subordinate all narrow and local interests to the more general and dominant good of the whole people. Neither have I any sympathy or patience with that spirit which rises to the surface in every debate on this subject and, by indiscriminate abuse of great and worthy industrial enterprises, attempts to fan the fires of popular discontent and would give new stimulus to the turbulent and lawless element in our political and social system. These appeals to prejudice and passion are unworthy of this great legislative body and can never supply the place of argument and reason.

Mr. Chairman, we have at last entered upon an era of naval enlargement. The same narrow and halting policy which has so long crippled us in our system of coast defense and Army organization paralyzed for many years our commercial greatness on the sea and arrested the development of our naval resources and strength. The nations of Europe had far outstripped us in sea power, so that even with the great ships which a persistent and

intelligent patriotism had at last forced our country to build and set afloat we were but a fifth-rate power and were regarded even by ourselves as on scarcely equal terms with Spain when we entered upon the late brief but brilliant conflict.

We had even reluctantly and grudgingly built those glorious ships, which, in the hands of an intelligent and skillful American seaman and manned by nerve, coolness, and invincible courage behind their guns, awoke the echoes of both oceans with their victorious thunders and raised our naval prestige to the highest pitch of renown. Now roused from that ancient lethargy, which still holds its fatal spell over the other arm of our national defense, by the awakening power of the great deeds of our wonderful fleets, we have entered upon the belated duty of strengthening that Navy and securing our safety and prestige on the ocean, the home of the American sailor and the theater of his proudest achievements. In the naval appropriation bills of this year and last we have provided for a number of new battle ships, monitors, and cruisers, which will greatly add to our naval power and enable us to discharge the duties and responsibilities which recent events have placed upon us. All concede the reasonableness and necessity of these additions.

So close is the race between the great guns in which improvements are being constantly made, with their wonderful reach and power, and the defensive armor designed to resist their ballistic force, that no nation will hesitate to buy the best of these products of human skill and genius. The armor which but yesterday would resist the impact of the mightiest cannon to-day may be pierced like a sheet of pasteboard, and the protecting plate of to-day will to-morrow give place to a more perfect and highly tempered article, and without which the vessel would go down under the pounding of the better guns.

Now, we need these ships, and it is perfectly plain that the ships must be armored. We must either buy the armor or erect a Government factory and make it for ourselves. It is clear that a Government plant can not be erected under two and a half years at the very shortest, according to the report of the Government experts who were selected because of their practical experience and with special reference to their technical skill and ability to pass upon this question. Mr. Chairman, according to the reported investigation of that board the cost of such a plant will be almost \$4,000,000, the figures reported being \$3,747,912, exclusive of the land, and even after that plant is erected it is calculated that it will be at least a year before it will be in a condition to furnish this armor and before the first plate could be turned out.

I need not remind you that these gentlemen are of the highest character and scientific training, that they are without any interest and actuated by an earnest desire to serve and protect the Government of which they are honored officers. There is also the element of imperfect work incident to all human labor and effort, the loss of which must fall on the Government, but which under the provisions of a contract with private parties is subject to rigorous tests and rejected at the cost of the supplying party. In addition to these suggestions this same very competent board reported certain further disadvantages connected with the maintenance of such an establishment to which I now refer.

In accordance with your views that the Congress would wish from the board a statement, in the rough, of the practicability of putting up an armor plant, we respectfully submit the following considerations:

1. An armor factory comprises essentially a collection of special furnaces, heavy machine tools and appliances that are not needed in any other class of work, and a class of labor specially skilled in the business.
2. A Government armor factory not connected with the establishment engaged in other branches of the steel industry would depend for its success and economic administration upon a constant demand for an output nearly approaching its full capacity.
3. If the Government should establish an armor factory the efficient and economic maintenance or working of that factory would necessarily depend upon a constant yearly appropriation for ships to be provided with armor, because the armor produced at any time must be specially designed for and fitted to those ships. Any failure to appropriate for those ships in any one year would require the cessation of work, and the laying off indefinitely of the skilled experts and laborers that had been trained to this industry. A resumption of work at a later period would require the training at a considerable expense of a new set of men. In the meantime the progress of the art would perhaps have been such that difficult and radical changes would be required which, under continuous working, might have been gradually and easily made.

Shall we, then, in the face of this testimony, which must be implicitly accepted, proceed to build such an expensive work? If so, we not only involve the Government in greater cost, but the movement for a greater navy must stop and the ships now in process of construction and planned must lie idle and impotent in their yards for almost if not quite four years. Not only is the judgment of skilled and competent experts against this course, but the experience of the great shipbuilding powers is against it. No government in Europe to-day makes its own armor. They all buy it from establishments built and owned by private capital and enterprise. England, the greatest trading and manufacturing nation of the Old World, deals in this matter with private concerns, and it is fair to assume that in constructing her navies upon the magnificent scale she does and for so many years has, she long ago demonstrated to her own satisfaction the greater economy and advantage of that policy.

So likewise have France, Germany, and Russia. It is, therefore, fair to infer from this course that they also have found it to their interest, pecuniary and otherwise, to do so. You will remember that all these great powers have been adding to their navies for many years, and have built upon the largest scale and the most improved lines. The supply of a large production of armor was constantly demanded, and would have given regular and continuous employment to a government factory, and yet all these Governments have discarded the idea of a national plant and resorted to the manufacture of private establishments.

It seems to me that if economy in price and promptitude of supply are to be considered, if we are to look at this question as a practical and business matter, no reasonable man would favor the long delay and extravagance involved in the building of a plant adequate to the requirements of the case. Clearly this course is not to be thought of, and its advocates can only be hostile to the building of a greater navy or actuated by a reckless desire to secure the location of such a plant for local advantage at the sacrifice of the paramount interests of the nation. Therefore we have only the alternative of purchasing the needed armor.

Now, the question is, Shall we build and armor these ships; shall we clothe them with the best obtainable material? If so, where shall we get it? What is the lowest price at which we can secure it? We find a number of great establishments abroad, and in our country we find only two. These latter were brought into being at the suggestion of the Government itself, when its necessities were great, and upon the seductive promise that they should have the Government for their customer.

These great plants have been capitalized at a cost of nearly \$8,000,000. By credible testimony, elicited upon Government inquiry, it has been developed that the profits and dividends of the Bethlehem Iron Company, with which I am well acquainted, being located in my own district, since the building of their armor factory, have been diminished. They have supplied the best product in the world, and so skillful and successful has been their manufacture of this material that they have invaded the foreign market and successfully competed with the great armor factories of the Old World.

The Secretary of the Navy, Mr. Herbert, a few years ago, with an evident inclination to resolve every doubt against these companies, upon a careful inquiry, reported that in his opinion \$400 a ton was not an unreasonable price for this armor plate, in view of the value of the plants and the cost of maintenance and of production. That was \$400 a ton for a kind of armor that was then the best, but which is now antiquated, and which, in the opinion of those naval powers who by their long experience in naval construction and careful administrative methods are best qualified to determine the question, should be discarded as no longer adequate to resist the offensive power of modern gunnery. They have rejected the best product of a few years ago and are armoring their ships, under the advice of experts who are capable of judging, with an armor made under a new process, which, by reason of greater complexity and delicacy of the methods required to produce it, necessarily must cost more than the former process, for which Mr. Herbert reported that \$400 was a fair and reasonable price, basing that estimate upon an assumed valuation of the Bethlehem Iron Company's works, located in my district, and the plant of the Carnegie works, which subsequent inquiry has developed to be an estimate that was too low by more than one-half.

Now, taking into account the additional cost of maintenance of a much more expensive plant than he estimated in his report, even \$400 a ton would give a very narrow margin of profit. When you consider that these establishments have been built up upon the faith of the Government continuing to buy armor plate, and the large outlay this entailed, when you remember the uncertainty of the Government's action each successive year, and bear in mind that there is no legal obligation on the Government to take the output of these works, the element of the cost of those plants is a very important and controlling one.

Now, if the Secretary of the Navy, basing his estimate upon an erroneous idea as to the value of these plants being much less than it really was, was of the opinion that \$400 a ton was a reasonable price, why should \$545 a ton be considered as unreasonable, when that excess of \$145 represents not an increased profit, but the increased cost of production by a more complicated and detailed process and the payment of royalties for the secrets held by the establishment at Essen, at which it is universally acknowledged the best face-hardened armor in the world is made?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KIRKPATRICK. I should like to have my time extended by unanimous consent.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that his time be extended. Is there objection?

Mr. GREENE of Nebraska. I object.

Mr. BUTLER. I move to strike out the last word.

Mr. GREENE of Nebraska. I withdraw my objection.

The CHAIRMAN. The objection is withdrawn. Is there other objection?

Mr. GROSVENOR. Mr. Chairman, at the request of the gentleman from Pennsylvania, I ask unanimous consent that his time may be extended for ten minutes.

The CHAIRMAN. Is there objection to that request?

Mr. BOUTELLE of Maine. I think it ought to be granted. The gentleman represents a district in which one of these concerns is located.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KIRKPATRICK. I am very much obliged to the committee. I have been compelled to proceed so rapidly that perhaps with a little more opportunity to discuss this question I may now do it more satisfactorily.

Mr. Chairman, as I said a moment ago, the former Secretary of the Navy, Mr. Herbert, reported that \$400 a ton was a reasonable price. That was based upon the report of certain investigating officials whom he appointed, who were well qualified by their technical skill and experience to form a proper judgment and who had the confidence of the head of the Navy. They reported the cost of production, they reported the estimated cost of these plants, and yet the Secretary of the Navy, accepting their conclusions, according to the report, with which you are all doubtless familiar, and proceeding upon what he mistakenly assumed to be the expenditure of these companies in fitting themselves to produce this armor, and certain calculations, which have been proved since to be entirely misleading as to the cost of maintenance of those plants, unhesitatingly pronounced \$400 per ton as a proper price for the Government to pay.

It will be seen upon referring to the report of the Secretary of the Navy that after an examination of the books of the Carnegie Company, in 1893, by Government experts, the cost of its plant was ascertained to be \$3,376,000. In his report on the subject of the cost of armor, made in December, 1896, Mr. Herbert says that the Bethlehem plant must have cost \$1,000,000 more than the Carnegie Company's plant.

For maintenance of the efficiency of the plants and to cover depreciation, insurance, and taxes, the Secretary allows 10 per cent, and this is low enough under the circumstances.

While he promptly allows this percentage, he unconsciously commits an injustice and arrives at an obviously erroneous result by assuming that the plant could be built for \$1,500,000, which the factory board since appointed has shown to be less than one-half of the cost, without including the land. I here submit a table showing the cost of armor plate upon the basis of a cost of a plant at \$3,000,000 and showing the profit at \$400 and \$540. These estimates are predicated upon the reports of Lieutenant Rohrer and others as to the cost of labor and material, etc.

	Rohrer Board.	Lieutenant Rodgers.	Ensign McVay.	Secretary Herbert's summary.
Cost of labor and material only.	\$167.30	\$178.59	\$161.54	-----
For material rejected in process of manufacture, viz, 10 per cent.	\$16.70	\$17.86	\$16.15	-----
For reworking.....	\$12.45	\$12.40	\$12.40	-----
Cost for nickel.....	\$196.45	\$208.85	\$190.09	\$197.78
	\$20.00	\$20.00	\$20.00	\$20.00
Total cost of labor and material.	\$216.45	\$228.85	\$210.09	\$217.78
Maintenance on plant costing \$3,000,000, taking Senator CHANDLER's low estimate of 6 per cent, and making 2,000 tons of plates per year.....	\$90.00	\$90.00	\$90.00	\$90.00
Plates at \$400 per ton would show a profit per ton of.....	\$90.55	\$81.15	\$99.01	\$92.22
Or total receipts on 2,000 tons of.	\$187,100.00	\$162,300.00	\$199,820.00	\$184,440.00
Would show the investment of \$4,000,000, in property and working capital, returning annually..... per cent.	\$4.68	\$4.06	\$4.90	\$4.61
On the basis 10 per cent of for maintenance, as allowed by Secretary Herbert, the profit per ton of armor selling at \$400 would be.....	\$33.55	\$21.15	\$30.91	\$32.22
Making the annual return on investment from a product of 2,000 tons..... per cent.	1.08	1.06	1.90	1.61
On the basis of 10 per cent for maintenance, and armor selling at \$540 per ton, the profit per ton would be.....	\$173.55	\$161.15	\$179.91	\$172.22
Making the annual return on investment from a product of 2,000 tons..... per cent.	8.68	8.06	8.90	8.61

The fact is, as shown by subsequent and more accurate information received in detail, that the cost of the Bethlehem Iron

Company's plant for the production of this armor plate was \$4,000,000. This accords with the testimony of the company's representatives before the Senate committee. I have already referred to the Secretary's report, which I have before me, and in which he says the plant undoubtedly cost a million dollars more than the Carnegie plant; and yet his estimate of the cost of maintenance, of keeping up the plant, in view of depreciation, in view of the betterments and repairs necessitated in keeping in touch with the march and the progress of inventions and improvement in methods of production, was based upon a capitalization of a million and a half for the cost of the plant, when it should have been four millions; and he himself—

Mr. GREENE of Nebraska. Will the gentleman allow me to ask him a question, for information?

Mr. KIRKPATRICK. Certainly.

Mr. GREENE of Nebraska. Now, is there any proof before this committee that can be brought to the attention of this House that the cost of the production of this new armor is any more than the harveized process, except in the royalty?

Mr. KIRKPATRICK. I am coming to that in a moment, and have it in my mind.

Mr. Chairman, it seems to me that the mere statement I was making at the moment of the interposition of the question carries conviction on its face, and shows that the calculation of the Secretary of the Navy was an erroneous one. Granting that his allowance of 50 per cent profit was a fair and reasonable one, then the price should have been higher upon his own showing, if the figures assumed as the measure of capitalization were so much below the real amount actually expended on the plants and properly representing their cost.

Under this correction, so imperatively demanded by the real truth of the matter, instead of getting the profit which he considered a fair one, that profit would be nearly, if not quite, covered and extinguished by the difference in the estimated cost just explained.

You will thus see that even at \$400 a ton the profit would be little or nothing and that the conclusions of the Secretary of the Navy were misleading and tended to defeat the very measure of justice he was willing to concede.

Mr. BURKE. Will the gentleman from Pennsylvania yield to me for a question?

Mr. KIRKPATRICK. Yes, sir; but my time is very limited.

Mr. BURKE. I understand. I will ask the gentleman if he did not vote last year for \$400 a ton?

Mr. KIRKPATRICK. Yes, sir.

Mr. BURKE. Now, I want the gentleman to tell the House why he is so urgently in favor of increasing the price \$145 a ton.

Mr. KIRKPATRICK. I am telling you. I happen to be upon that very point.

Mr. BURKE. Yes.

Mr. KIRKPATRICK. I want to show from the standpoint of the argument I am making now that \$400 a ton would have yielded much less profit than was calculated by the Secretary of the Navy in his report and upon the basis of which the appropriation for that work was made at the last session. It should really have been more, and I am not sure that the stress of the nation's need at that time and the hope of more just dealing by the Government in the future was not a strong inducing cause to these people in accepting the price then fixed. But be that as it may, we will assume \$400 a ton is a fair price for the armor then deemed the best. The fact now is that the harveized plate has had its day, being now discarded by the great shipbuilding powers of the earth. This in itself is a significant and very powerful circumstance, and ought to have a controlling influence in determining the action of this House.

If there is this improvement in the resisting power of this armor and it has been adopted by those great powers who have been so deeply interested in the building up of great and powerful armaments with the idea of not only protecting themselves amid the dangers and complications of European rivalries, but of dominating the civilization of the world, then we have every reason to believe that it is the best, and we should hasten to put ourselves on an equality with them in the efficiency of our fleets.

I know there are those who affect to believe that it is unpatriotic to adopt the improvements and teachings of the experience of other nations and that it is a manifestation of independence to discard the wisdom of others. I think it is the highest wisdom and shows a true love of our country if we take what is good in the practice of other nations and use it for the honor and glory of our own free and beloved land.

If these foreign powers set afloat these great monsters of offense and destruction, if we see them using the most elaborate and complete methods of construction, if we find them in possession of the best appliances for the purposes of an effective and powerful navy, why are we not worthy of the same advantages? Why should we not fit ourselves by adopting what is best and most suitable to cope with them in the hour of danger and international difficulties?

Mr. GAINES. Will the gentleman please tell us when this Krupp process was first discovered?

Mr. KIRKPATRICK. I do not know when it was discovered.

Mr. GAINES. Five, six, or ten years ago, was it not?

Mr. KIRKPATRICK. Probably.

Mr. GAINES. How is it, then, that European countries have accepted our armor plate and are buying it when the Krupp process is a European process?

Mr. KIRKPATRICK. They are using the Krupp process now. You all know it is not necessary for me to suggest to you how slow the process of invention is, how many years of trial and experiment must elapse before the most obviously useful improvement comes into general use, how difficult it is to win the faith and confidence of the people who have no technical knowledge of matters of this kind, how distrustful are even the wise members of this House of every proposition involving a new method of manufacture of this kind of material, or, indeed, of any arm or implement of defense. The palpable fact however is, the European governments have now adopted the Krupp armor; they have discarded even the best product of a few years ago, as is admitted by those who have followed the progress of the art of naval construction and as has been stated by the experts of our own Government.

Mr. PRINCE. Will the gentleman state to the committee what the European governments are paying per ton for this kind of best armor?

Mr. KIRKPATRICK. They are paying more than \$545 a ton, every one of them—the Russian Government, the English Government, the French Government—and they have all adopted the Krupp process. The Russian Government is building a vessel in this country, at a shipyard in my own State, and the armor plate for the protection of that vessel is purchased at more than \$545 a ton.

Mr. GAINES. Is it manufactured by the Krupp process?

Mr. KIRKPATRICK. Yes.

Mr. GAINES. When was there a change made in the contract?

Mr. KIRKPATRICK. I do not know; but I am informed that that is the fact, and I obtained my information from the Ordnance Department.

Now, in view of the fact that no government in the world has its own plant, in view of the fact that if the Government of this country were to build its own plant and manufacture its own steel under the estimates of the armor factory commission and under the calculations that every member can make for himself, it could not at this late day furnish armor plate at anything like the price the limitation of which is fixed in this bill; it only remains to accept this limit, and thus deal fairly with these companies and at the same time purchase the best at a lower rate than it is bought by any other nation in the world. Conceding that this Krupp process is a secret one, and is purchased at the rate of \$45 per ton by these two companies, granting the fact that the armor is worth in improvement and in ballistic tests more than the old armor, and that the cost of production is equal to the difference and does not represent profit, the \$545 a ton is substantially equivalent to what the House, or at least the conferees representing both bodies, reported and decided should be the proper limitation in the bill passed at last session.

We would be getting a lighter and a more effective armor at not more than the profit in the appropriation of a year ago.

But a few words more. These companies have been attacked in this House on more than one occasion with an extraordinary virulence and bitterness. The merits of the case have been obscured and prejudice and passion have been appealed to to decide a purely business question. These two great industrial enterprises, so signally illustrative of the genius and skill of the American mind and American labor, have been assailed as public enemies, as conspirators, and as banded together to hold up the Government by threat to enforce the payment of unearned money.

One of these companies has built its splendid assemblage of works, buildings, and machinery in my own neighborhood, and they are the pride of that part of our great Commonwealth. Located not many years ago in a little straggling village on the south side of Lehigh River, near the old Moravian town of Bethlehem, it has grown into its present gigantic proportions and nourished at its feet two busy and industrious communities.

A population of 25,000 people gather about those works and derive their life, their growth, and their prosperity from its benignant presence. This great plant is not owned by a few, but is held by many stockholders, one-third of whom live in the very shadow of its flaming chimneys. When in full operation they employ 4,500 men, 2,000 of whom are in the gun and armor-plate works. Nearly 18,000 people are directly dependent for their livelihood upon the operation of its works.

Surely such an enterprise should not be the object of hatred and attack, and its overthrow and destruction at the dictation of vindictive prejudice would hardly be the reward of the beneficent

work it has done in building up those great communities and giving employment and prosperous homes to the artisan and the laborer.

In dealing with the Government I am sure that company expects no favor and asks no gratuity. It is ready to compete with the world, and only asks for fair and just treatment and a proper return for the products of its skill and capital. Above all, let this Government consult its own true and best interests; let it have the best material for its ships and let it build them so that those brave sailors who man and fight them shall compete in battle and on the wave with the best and most powerful navies of the world. [Applause.]

Eulogy on the Late John Simpkins.

REMARKS

OF

HON. ROBERT G. COUSINS,

OF IOWA.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, January 28, 1899.

The House having under consideration the following resolutions:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JOHN SIMPKINS, late a Representative from the State of Massachusetts.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. COUSINS said:

Mr. SPEAKER: We do not easily or willingly give up a friend. It is hard to let go forever a hand that your own has grasped in confidence. When suddenly a life goes out that was a part of your own life, one you met from day to day; who shared with you and sympathized with you; who liked with you the interesting incidents of life and scorned the baser things that mar its happiness; who loved with you the arts, the harmonies, the great accomplishments that make our world worth living in—ah, me, when such a life goes out we go about and, wondering why it is, expect some way or other that we shall meet that one again. Turning the corner here and there, going in and out of old familiar ways, back and forth from homes of mutual friends and out to country places, then back to duty's post, and listening to the roll call's recapitulation, we miss JOHN SIMPKINS.

He was a modest member of a mighty body, only a voice from one of many States, but his record stands forever in the column of good government and progress. No niggardly or dishonest policy for him; no doubting of our nation's cause and no repudiation; no pessimistic ranting nor forebodings of a gloomy future. His hope was in the sunrise. His duties and his energies were always in the present, and when the shadows fell his life was almost at meridian.

I liked his hope, I liked his life, his gentle, manly, and unselfish disposition. Therefore I speak of him.

He was a most useful, conscientious member of the Congress during the successive terms in which he served. He was a believer in the Union and in the security of our Federal Government. He beheld the Stars and Stripes even before he saw the emblem of his grand old State. He was a patriot and a patient, generous man. If ever there was a genuine gentleman, it was the Hon. JOHN SIMPKINS, of the Commonwealth of Massachusetts.

I knew him first through his unselfishness. He had something to enjoy and he shared it with me. Such would be the acknowledgment of everyone who knew him well.

He was a cheerful spirit in a world of care. His thought was for the common weal. He wanted to see others happy. He moved among his fellow-men a buoyant, generous soul, full of humor and good nature, hailing the dawn for the duties and delights which each day brought, putting the past behind him for the pleasures and employments of the present and for the future's possibilities. He liked the world and the world liked him. He wished to live, and again and again we wish that he might have lived for the sake of those who loved him and whom he loved.

Encomiums are sometimes cheap, and praises often vain. These words are meant for neither eulogy nor praise. More than to any other I speak them to myself. Saying over to one's self the virtues of a gentleman, a patriot, a man, helps in appreciation of all gentle characters, all loyal citizens, all genuine manhood; and to appreciate, to discriminate, to understand without proclaiming, would have pleased my friend.

Army Reorganization.

SPEECH

OF

HON. JOHN F. SHAFROTH,

OF COLORADO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 27, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. SHAFROTH said:

Mr. CHAIRMAN: I do not rise for the purpose of discussing the particular amendment under consideration. The gentleman on this side of the House [Mr. SULZER], who had control of the time for general debate, stated that he could not give to all members an opportunity to participate in the general discussion of the bill, but that under the five-minute rule we would be permitted a reasonable time for general discussion. Therefore I shall take the liberty of discussing the general features of this bill instead of this particular amendment.

The CHAIRMAN. Without objection, the gentleman from Colorado will proceed on that line.

Mr. SHAFROTH. Mr. Chairman, this bill provides for an increase of the standing army of the United States from 26,600 to 100,800 men. Why should such an extraordinary increase in the Regular Army be asked? The chairman of the Committee on Military Affairs has told us that 30,000 are needed for the occupation of Cuba, 30,000 for the Philippine Islands, 5,000 for Porto Rico, and 3,000 for the Hawaiian Islands. It is said that as the occupation of Cuba might be of long duration, the Regular Army should be increased 30,000 for duty there.

Whoever heard before of such a proposition from a committee of this House? The idea of making a permanent increase in the Army to meet temporary conditions is a monstrosity in legislation. On the mere possibility of a prolonged occupation, a permanent army with its thousands of officers is to be created, making an enormous annual charge upon the Treasury of the Government.

Sir, the occupation of Cuba is bound to be of very short duration. Public sentiment will not long countenance a standing army there. The cost of maintaining an army of 30,000 men in Cuba, according to the old and accepted estimate of \$1,000 for each soldier, including transportation, ammunition, and equipment, would be \$30,000,000 per annum. The total estimated revenues of Cuba, even under the tyranny of Spanish oppression, for the fiscal year ending June 30, 1898, was, in the equivalent of our money, \$4,777,861, and not to exceed 50 per cent of that sum has ever been collected. The people of Cuba have been so impoverished by war that it will be impossible for them for many years to come to pay a very much larger amount in the way of taxes. The loss, therefore, to this Government in maintaining an army in Cuba will be at least \$25,000,000 a year.

The people of the United States for the fiscal year ending June 30, 1897, sold products and goods of the value of \$7,599,757 to the Cuban people. They are not now able to buy any greater amount, nor is it likely that they will for some years to come be able to buy a very much larger amount. Each year's occupation of Cuba with our troops will therefore involve a loss to the United States of \$25,000,000, in order to obtain a trade in which there is not a profit to exceed \$1,000,000 to our people. In other words, the Government from the taxes gathered from all of the people of the United States will be expending \$25,000,000 in order to permit a few of its people to make a profit of \$1,000,000. The people of the United States will never sanction for any considerable length of time the paying of such an exorbitant amount for such a small commerce.

The Cubans are as well prepared to establish a stable government now as they will be at any time within the next decade. If the defect of her people is lack of civilization, that can not be remedied for at least a generation, and inasmuch as civilization is the result to a large degree of climatic influences, it is doubtful whether they will ever be better prepared to establish their own government than now. When the rainy season of that island sets in, and the deadly effects of the malaria caused thereby are felt by our troops, an almost universal sentiment will arise in this country demanding the return of our soldiers. In my judgment, the army will be withdrawn from Cuba within less than three months, and consequently I believe that no permanent army will be required for Cuba.

The claim that the Regular Army should be increased 30,000 for permanent use in the Philippine Islands is also untenable. The gentleman from Ohio [Mr. BROWN] demonstrated to this House on yesterday that the President had never officially announced that his policy was to annex the Philippine Islands. Until such

a policy is announced, upon what pretense can it be claimed that the permanent army should be increased? Every member in this House desires to give the Administration all the force and all the soldiers that are necessary for the upholding of American honor. If troops are needed in the Philippine Islands under present conditions the only way to provide such a force is to enlist volunteers.

Until a policy of annexation is at least announced the force necessary in the Philippine Islands is only for a temporary purpose, and public sentiment will not long sanction the expense involved in keeping in those islands 30,000 men at a cost of \$30,000,000 a year when the amount of revenue derived from those islands, even under Spanish rule, did not exceed \$8,000,000 a year.

The total purchases of the Philippine Islands from the entire world for the year 1897 amounted only to the sum of \$10,661,000, of which the United States obtained only \$132,000. It is plain, therefore, that the people of the United States will not long sanction the loss on the part of our Government of \$22,000,000 a year in order to maintain a commerce of \$10,000,000, even if she obtained all of the trade, in which there is not to exceed a profit to our manufacturers and producers of a sum equal to \$1,000,000 a year. We are not prepared to give \$23 for \$1.

As to the estimate of the chairman of the Committee on Military Affairs of the number of soldiers needed for Porto Rico and for the Hawaiian Islands, I have no criticism whatever to make, and am perfectly willing to vote for the increase in the standing Army for the numbers necessary for the maintenance of law and order in those islands. But when they ask us to increase the standing Army of the United States to 100,000 men, when the now known permanent uses only require an addition of 8,000 men, the proposition becomes monstrous, and at least is open to the suspicion that the Regular Army is to be used for other purposes in the United States. Whoever heard of building a permanent structure upon a temporary foundation? And yet that is exactly the proposition submitted in this bill.

The substitute presented by the minority of the committee meets my hearty approval. That provides that the Regular Army of the United States shall be 30,000 men, and that the President of the United States shall have the power, at any time he desires, to call for a volunteer army of 50,000 men in addition thereto.

It is contended that the reason this proposition is not satisfactory is that the Regular Army can be raised more easily than a volunteer army, but I deny that there is a particle of reason in such contention. Men that enlist in the Regular Army must remain in the service for five years; men that enlist as volunteers can remain two years, unless sooner discharged by order of the President.

Knowing that service is needed in tropical islands, and not knowing what effect the climate might have on their health, it seems to me that any one contemplating joining the Army would prefer to have it at his option to retire in two years than to retire in five. If the Administration were even to claim that it was certain that the occupation of the Philippine Islands would be for more than two years, then there might be some excuse for their position, although in that event it would be better to have volunteer soldiers enlisted even for five years, with power in the Government to stop the enormous expense in the event that they should not be needed so long.

The refusal to accept volunteer soldiers leads to but one conclusion in my mind, and that is that the regulars sooner or later will be used in the United States. The contention that the amendment offered by the gentleman from Illinois [Mr. MARSH], which permits the President at his discretion to reduce the Regular Army in size to 50,000 does not change the situation. I am not willing to trust such a power to any living man. Perhaps it might be for the first few years exercised judiciously, but there may come a time when that Army might be used for purposes diametrically opposed to the liberties of the citizens and to the maintenance of republican institutions. All experience teaches us that it is wise policy to avoid a large standing army.

The present standing Army of 26,500 has been amply sufficient to answer the purposes of the Government in this country; in fact, until the acquisition of Porto Rico and Hawaii, the necessity for a standing army has been growing less and less every year since the civil war. At the close of the civil war the guarding and defending of our frontier citizens against the attack of Indians was the principal use of the Regular Army. More than two-thirds of the Army was used for such purposes.

By reason of the policy of the Government in concentrating many of the Indian tribes in the Indian Territory, a policy of pacification of all hostile tribes, it is not likely that we will ever have occasion again to use any considerable number of the standing Army to suppress Indian wars. We know at least that the dangers are getting less and less every year. We can therefore conclude with reasonable certainty that this Army which was 25,000 previous to 1898, and amply sufficient at that time, would be amply sufficient now in the United States, when the conditions that the Army had to meet at that time are disappearing.

Mr. STEELE. I should like to ask the gentleman a question.

Mr. SHAFROTH. Very well.

Mr. STEELE. Would you be willing to have Camp Logan abandoned?

Mr. SHAFROTH. I must say that Fort Logan occupies a position which, on account of being located close to Denver, a large city, and on account of the railroad facilities, makes it an especially desirable point for a fort.

Mr. STEELE. There are no Indians in Denver.

Mr. SHAFROTH. That may be, but the troops can be transported from there.

Mr. STEELE. Why not transport the Indians to them?

Mr. SHAFROTH. It is a place from which transportation from all directions is most excellent. There are bound to be some forts. Of course, if you are going to abandon all of them, Fort Logan would have to go. But no one is advocating a diminution of the Army, but against a quadruple of an increase.

But, Mr. Chairman, there are some people who think that the standing army of the United States is not sufficiently strong because they fear an attack from a foreign nation. If that were true, we should have a force of 500,000 men instead of 100,000. There is no reasonable possibility of any European power declaring war against the United States. The isolation of our territory makes us invulnerable and demonstrates that nothing can be made by attacking us. The only power which in any way could come near coping with our forces is Great Britain, yet Great Britain dare not attack us, even if her battle ships were one hundred times as numerous as ours. She knows full well that when she declares war upon the United States our forces will march across the Canadian borders and wrest from her the most valuable of all her possessions.

Modern warfare in the end is a contest between the wealth of nations. All European nations are now burdened with enormous national debts. They are bound to keep large standing armies to prevent the encroachment of adjoining nations. To waste their substance in fighting us would be simply to make them more vulnerable to their deadly enemies. The United States in power and wealth is greater than any one or any two of the nations of the world. It is equal to one-fourth of all the nations of the world, and in the end no one or two of them could hope to conquer us. For these reasons we are in no danger of being attacked by any European power. It therefore rests with us whether we shall have war or not, and if we are not prepared when a cause arises, it takes but a few months to get our armies in fighting condition.

But even if difficulties should arise with European governments, we can in the future, as we have always in the past, rely upon the volunteer soldiers of the nation. Never have they been lacking in skill or bravery when fighting our greatest battles. Besides, sir, a large standing army in this country means the destruction of our National Guard. Such an organization will not take interest when it may not be called out for action in time of danger, or, if called, be required to take a much more subordinate position than the Regular Army.

In my judgment the best way to equip the nation for defense is by appropriating larger sums of money than we have in the past for furnishing the National Guard of the various States with all the modern arms, encouraging their enlistment and discipline. Every dollar expended in properly equipping and encouraging the National Guard will save at least ten dollars in avoiding the necessity of a larger standing army.

It is for these reasons, Mr. Chairman, that although I am willing to provide whatever volunteer force may be necessary to uphold the honor and flag of the nation, yet I am not willing for the present to increase the standing Army of the United States more in addition to the present number than is required to preserve law and order in Porto Rico and the Hawaiian Islands.

Army Reorganization.

SPEECH

OF

HON. JOHN F. FITZGERALD,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, January 27, 1899.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 11022) for the reorganization of the Army of the United States, and for other purposes—

Mr. FITZGERALD said:

Mr. CHAIRMAN: I am absolutely opposed to that portion of the Army bill which calls for 25,000 additional men for service in the Philippine Islands. I am one of those who have never believed in any large increase in the standing army of this country. I recog-

nize the fact, however, that the present conditions existing in Porto Rico and Cuba demand that the Army should be increased to that extent so that good order and law may be established on these islands, and until these things are accomplished I think that the Government should be given power to make proper increase for these purposes.

I have listened with a great deal of interest to the arguments that have been advanced upon this floor for the past three days in support of the pending measure. The question seems to have resolved itself into this: Is the United States about to adopt an imperial policy, and if so, what is the size of the army that will be required to maintain this new system? I have gone somewhat carefully into the statistics of other governments regarding the number of men in their different armies, and the number proposed by the majority of the House in the present bill seems a mere bagatelle compared with the number of men who are in the service of the so-called imperialist nations of Europe and Asia. France at the present time has more than 600,000 men, Russia more than 750,000, Germany more than 552,000, and England 225,000. England has nearly 600 vessels of war in all, France 50 battle ships, Russia 48, while the United States to-day has only 18 first-class battle ships out of a total of 181 vessels.

An examination of these figures will prove conclusively to any person who is to be convinced by facts that the United States is in no condition to undertake a policy of imperialism and to engage with other nations for the conquest of territory in the far East. The cost of an army of 100,000 men would mean a great increase of the expenses of the people of the United States. At a conservative estimate each soldier costs a thousand dollars a year at home. This amount is increased to \$1,500 when the soldier is abroad. One hundred thousand men, therefore, would cost \$100,000,000 at home and \$150,000,000 abroad.

Pensions at the present time cost the people of this Government more than \$150,000,000 a year. Should the Army be increased to 100,000 men, this amount, instead of diminishing, would be greatly increased, until the pension charges alone will be an enormous burden to the people of the United States. The expenses of this Government are now more than \$500,000,000 a year, and with the increased cost of the Navy as well as of the Army, it does not seem to be beyond the bounds of reason to figure a future annual expense of \$750,000,000 a year. Where is this money to be obtained? It is a well-established fact that the war-revenue bill and the Dingley bill combined are not yielding the revenue that was expected.

The Republican party has repeatedly gone on record against the imposition of the income tax as being unconstitutional, and have thus prevented a fair share of the increased cost of the support of this Government being levied upon the wealthy and the capital of the country. This increased taxation must come, of course, upon the working classes of the population. And how it can be brought about is more than I can understand. The working classes will never submit to further exactions. Then again, I can not see, if this bill becomes a law, where the Government is to raise an army of 100,000 men.

Last spring when war was declared the Secretary of War was authorized to increase the Army to 62,000 men, yet not more than 55,000 men have enlisted to the present day, with all the inducements that were offered to men to fight in the cause of freedom and humanity. Every man upon the floor of this House knows the treatment that was accorded the regular and the volunteer who fought in the Spanish-American war. Is there a man upon the floor of this House who believes that the treatment was such as to induce any great number of young men of this country to enlist themselves as members of the Regular Army? Will the opportunity to fight the Filipinos, whose only crime is a desire for freedom and independence, serve as inspiration to the young men of this country to enlist? The instincts of human freedom are too well grounded in the American youth of to-day to suppose that he can be used for any such purpose.

This brings me, Mr. Chairman, to the consideration of the question which seems to be the principal subject of debate amongst the members of the House since the Army bill was taken up for consideration. I refer to the question as to whether the United States shall acquire the Philippine Islands against the wishes and protests of the inhabitants thereof and establish the dominion of this Government over those islands without giving the people who inhabit them an opportunity to determine whether they desire the Government of the United States. I have no intention of discussing the law that is involved in this question. I am one of those who believe that when our Constitution was made it was not supposed that the United States would ever extend its dominion over those who are not within the protection of its laws and able to participate in the efforts to preserve for themselves the humanity and benefits of civilization.

I believe that this matter should be discussed from the standpoint as to what is the best policy for the people of the United States to pursue consistent with their honor and integrity, as well

as with the past history of our Government. In connection with this discussion I desire to present at this time a few quotations from the President of the United States and the records of Congress regarding the purposes of this Government in waging war against Spain. President McKinley, in his messages of December, 1897, and April, 1898, said:

I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression.

The joint resolution of Congress makes this statement:

The United States disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island [Cuba], except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

These two statements represented the sentiments of every true American when the war was instituted between the United States and Spain. The President of the United States and Congress, in order that there might be no misinterpretation of the American position, said to the world that war was declared not for criminal aggression but in behalf of humanity. What reason there is for assuming that the people of the United States have changed their ideas in regard to "criminal aggression" I do not know.

I am a firm believer in the justice of the people of the United States, and I can not believe that any great majority of them are in favor of a policy now which six months ago was looked upon as unpatriotic and reprehensible. Our victory was not more complete at the Philippine Islands than were our triumphs at Santiago and other battles of Cuba. Admiral Dewey himself has made the statement that "the Filipinos are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races." "Further intercourse with them," says he, "has confirmed me in this opinion."

It would never have been possible for the President of the United States and Congress to receive the united support of the people of this country if they had thought that the object of the war was for gain and for territory, and not for freedom and humanity. Will any member on the floor of this House say that the splendid courage and discipline of our soldiers and sailors at Manila and Santiago would have been given to the world if the men who fought those battles felt that they were fighting to plant a system of slavery over the inhabitants of the Philippine Islands?

Will any member say that the brave deeds of Guantanamo and San Juan would have blazoned the pages of American history if those men thought that they were not fighting to free and liberate a people, but to imprison them? The question that the people of the United States have got to consider at the present time is whether they are to continue this as a peaceable republic or a conquering empire. It were better a thousand times that Spanish misrule and tyranny should have continued on the Western Hemisphere than that the United States should become entangled in the meshes of Eastern diplomacy and become the despised ruler of an unwilling people.

Let us halt before it is too late. There is nothing that has yet been done by the American people that compels us to take possession absolutely of these islands. Why not establish a protectorate as we are doing in Cuba until it is determined whether the people who inhabit the islands are capable of governing for themselves and establishing a free republic in that part of the world? The gentleman from Iowa said the other day that President McKinley obeyed the pulse of the people; that he believed as Abraham Lincoln did in the wisdom of the great masses of our population. That is why I speak upon this subject to-day. I think I know how the great bulk of the people of my district regard this matter. I feel certain that they wish the treaty to be amended, or else a declaration given by the Senate that we do not intend to take possession of these islands against the wishes of their inhabitants. The Senate can ratify, reject, or modify the treaty. Its powers are unlimited. It modified a treaty with England in 1795; with France in 1801; with Norway and Sweden in 1818; with Mexico in 1848, and with Bolivia in 1862. It rejected many, among them the treaty of arbitration with England in 1896.

How much greater the glory if we should say to the brave inhabitants of these islands to-morrow that it is not our intention to subdue them, but that we will help and guide them and protect them in order that they may have an opportunity to determine whether they are capable of establishing a free and independent government of their own. How much better to pursue a policy like this than to comply with the wishes of the English people, as expressed by Lord Salisbury, who said with characteristic frankness:

The appearance of the American Republic among the factors, at all events an Asiatic, and possibly of European diplomacy, is a grave and serious event which may not conduce to the interests of peace, though, in any event, it is likely to conduce to the interests of Great Britain.

Imperialism unquestionably means incessant warfare with the other nations of the East. The entrance of the United States into the battle for dominion of the East means that we must con-

stantly be on our guard to fight the battle for commercial supremacy in this portion of the world. It is as inevitable that we shall fight the natives who are now in control in these islands before we can subject them as it is that the sun will rise in the east to-morrow morning. What justification is there for any Member of Congress to vote for a policy which will compel the men who enlisted in our Army to fight for the cause of freedom and humanity in Cuba to fight now against the cause of freedom and humanity in the Philippine Islands? How much fame, can any member of this House tell me, will the American soldier or sailor feel that he has earned when he spills his blood or gives up his life in fighting a people whose only crime is the love of liberty and independence? [Applause.]

A great deal has been said in the course of this debate in regard to the characteristics of the Filipinos. I have heard the most unkind and unjust characterization of the qualities of Aguinaldo, the Philippine leader, by the Republican members of this House, and in refutation of the charges that have been made against this man I wish to quote Consul Wildman, who says, on page 336 of the document containing the peace treaty:

I have lived among the Malays of the Straits Settlements and have been an honored guest of the different sultanates. I have watched their system of government and have admired their intelligence, and I rank them high among the semicivilized nations of the earth. The natives of the Philippine Islands belong to the Malay race; and while there are very few pure Malays among their leaders, I think their stock has rather been improved than debased by admixture. I consider the forty or fifty Philippine leaders, with whose fortunes I have been very closely connected, both the superiors of the Malays and the Cubans. Aguinaldo, Agoncilla, and Sandico are all men who would all be leaders in their separate departments in any country, while among the wealthy Manila men who live in Hongkong and who are spending their money liberally for the overthrow of the Spaniards and the annexation to the United States, men like the Cortez family and the Basa family would hold their own among bankers and lawyers anywhere.

Again he says:

There has been a systematic attempt to blacken the name of Aguinaldo and his cabinet on account of the questionable terms of their surrender to Spanish forces a year ago this month. It has been said that they sold their country for gold; but this has been conclusively disproved, not only by their own statements, but by the speech of the late Governor-General Rivera in the Spanish Senate, June 11, 1898. He said that Aguinaldo undertook to submit if the Spanish Government would give a certain sum to the widows and orphans of the insurgents. He then admits that only a tenth part of this sum was ever given to Aguinaldo, and that the other promises made he did not find it expedient to keep.

Further on he remarks:

The insurgents are fighting for freedom from Spanish rule, and rely upon the well-known sense of justice that controls all the actions of our Government as to their future.

This statement, taken together with the statement of Admiral Dewey, it seems to me, ought to convince every member of this House that the Filipinos are at least deserving of an opportunity to show to the people of this country whether they are capable of governing themselves.

If they are not able to govern themselves, and they are the species of savages they have been depicted on this floor, I would like to ask by what process of logic shall we be able to conclude that we ought to absorb them and make them part and parcel of this country? What advantage will it be to the United States to annex these islands, with their eight or ten millions of people, who, according to the statements of the gentlemen on the other side of the House, are incompetent and unable to set up a government of their own? How are the United States going to bring these millions of people into submission? Spain has been attempting to govern these islands for three hundred and fifty years, and it has had incessant warfare all during the history of the attempted control of these islands by the Spanish Government.

If the treaty is ratified, we must invade and subjugate these islands. What will be the money cost of an enterprise of this kind? What will be the cost in the blood of American soldiers and sailors? General Greene, on page 404 and page 405 of his treaty, remarks that the density of population of six of the islands of the Philippine group is nearly 50 per cent greater than Illinois and Indiana, greater than in Spain, about one-half as great as in France, and one-third as great as in Japan and China. What are we going to do with all these people? Are we going to assimilate and make them part and parcel of the people of this country?

I can not see for myself any great good that is going to be accomplished by annexing these people, while I can easily figure the enormous expenditure and outlay in placing them under control. Then again, it is not a great many years ago since the tremendous agitation existed on the Pacific coast against the importation of Chinese labor into this country. Every effort was made to exclude Chinese laborers. If this treaty should be ratified, millions and millions of people of the same characteristics as the Chinese would be admitted as part of our population. It is a serious question as to whether we can exercise sovereignty over one part of our empire and prohibit the free intercourse of people from one part to the other part of it.

It is the general understanding, I believe, that every child born anywhere within the United States whose parents have a domicile in the United States and are not employed in any diplomatic

and official capacity becomes at the time of its birth a citizen of the United States by virtue of the fourteenth amendment to the Constitution, which says that—

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

In connection with this same subject, Senator Edmunds has said:

A republic can have no subjects. Its people must be either citizens, aliens, or slaves.

The same condition of affairs will exist in regard to our tariff and revenue laws. I do not think that it will be disputed that the framers of the organic law of the Government intended that the burdens from revenue taxation for the maintenance of the Government should be distributed uniformly over the United States, and until a different opinion is held by the courts of our country I think this must be the view that will be held by all classes of citizens.

It was once said of England:

She civilizes men by the tap of the drum
And sends them the gospel in a bomb.

And this is just what it is proposed that we shall do. We are to fulfill the "mission of the United States," which, in regard to the Philippine Islands, is defined in a letter from the President to the Secretary of War, under date December 21, 1898, to be one of "benevolent assimilation, substituting the mild sway of justice and right for arbitrary rule." Now, this is extremely pious, no doubt, notwithstanding some peevish persons seem to think it an example of stealing the livery of heaven to serve the devil in. I do not say this. But I would ask, how often in the history of the world has the force of arms succeeded in substituting the mild sway of justice and right, and setting aside arbitrary rule?

It is not to establish forcible annexation that our thundering legions are to overrun the country and our ships bombard the coasts. Not at all. That is not to be thought of, says the same high authority, because by our code of morality it would be criminal aggression. No; we do not propose to annex the Filipinos by force, but only to subdue them; wrest from them their means of self-defense and compel them to accept the exalted privileges of the great American Republic on the easy terms of becoming our abject serfs, without a voice in their government or affairs, having no rights that we are bound to respect. That is all; and what right have they to object to a little thing like that when they have in return achieved an undefined connection with our mighty nation?

And yet they do at this very hour complain of our having snatched from their hands, on the very verge of final victory and full success, the independence they had won from Spain. We are to push Spain aside and take Spain's place as their oppressors, notwithstanding our fundamental doctrine that governments derive their just powers from the consent of the governed. And all things appear to be lawful in this unique process of "benevolent assimilation"—even calumny. The Filipinos are freely denounced as "traitors," "outlaws," "conspirators" and other vile forms of humanity, because they do not appreciate our benevolence in annulling their work of self-defense, wherein we are in a fair way to emphasize Lord Brougham's definition of a lawyer as "an excellent gentleman who rescues your estate from your enemies and keeps it himself."

Why are the Filipinos "traitors," "rebels," etc., for holding on the course they took at the first of their contest with Spain and have pursued throughout? When and how have they ever owed us allegiance or fealty? When and how did they ever forfeit their right to the independence for which they had successfully fought? When and how did we acquire a right to submerge their claims to the same inalienable rights of which we make our boast, in the question of Spanish sovereignty; so that we can coolly take it for granted that when that sovereignty is gone, by whatever means, the rights of the Filipinos are gone also? Is this a principle of benevolent assimilation?

But the argument is made that we can not, with due respect to our national dignity, take down the flag where it once floats. This extreme deference to the dominant energy of the flag is a belated inspiration. We have had opportunities of piracy before. Our flag once floated over the City of Mexico, and yet so unpatriotic were the men of that generation that they actually did take it down and "withdrew it from the people over whom it floated." I would be tempted to call that claptrap if it were not for the high sanction which it has received. On December 16, 1898, President McKinley said in a speech in Atlanta, Ga.:

That flag has been planted in two hemispheres, and there it remains, the symbol of liberty and law, of peace and progress. Who will withdraw from the people over whom it floats its protecting folds? Will the people of the South help to haul it down?

Is it not plain, then, that it was eminently unpatriotic to forbear the perpetual occupation of Mexico when we had a chance and to

remove our flag after it had begun to float over the palace of the Montezumas? What could our statesmen have been about to fling away so glorious an opportunity of "expansion?" We have evidently learned a thing or two since that day as to the meaning of the flag of freedom, which hereafter may be expected to flourish its protecting folds over people who do not want it, but prefer one of their own, whenever we have an opportunity to thrust it forward. The Roman eagle was a national bird of prey. Shall the American eagle follow its rapacious example? It seems so.

Why should we disclaim, as we have done by a joint resolution, any design on Cuba, contiguous to our shores, and apply the principle of expansion to territory thousands of miles away? The natural mode of expansion is by accretion only. We have solemnly declared in the joint resolution referred to that—

The United States disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island [Cuba] except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

This is our declared policy as to the island of Cuba. But the flag is floating over Havana. How are we to get it down any more than in the Philippines? If it must float forever over the latter because it has been unfurled there, must it not float forever in Cuba because it has been planted there? If it can be removed from Cuba without dishonor, why can it not be withdrawn from the Philippines without dishonor? Can we govern the Philippines better across the wide ocean than we can govern Cuba close at hand? And if we have no "disposition" or "intention" to exercise sovereignty in Cuba, why does our disposition change when directed to the distant islands to which it is proposed to cling by the mere right of conquest?

Mr. Chairman, I suppose no one ever did wrong for the mere sake of wrongdoing. Even a murderer has a plausible plea for his deed. And in matters of political design it is often easy to make the worse appear the better reason. And now, as we are out on a crusade of humanity, we must seek a benevolent plea for the work of conquest in order to be quite consistent. And so the rights of the Filipinos, we are assured, are to be subverted forcibly for the good of the Filipinos themselves. They are incapable of self-government by reason of their ignorance, and so we will rap them over the head until we knock them senseless and then fetter them so as to restrain their liberty, which they might use to injure themselves! That is the work of benevolent assimilation in which we are soon to be industriously engaged with powder and ball, if certain clamorers are to have their way.

But how as to the fact assumed as a basis? I take Admiral Dewey's observation to be more reliable than our conjectures. And he wrote the Secretary of the Navy August 29, 1898:

In a telegram sent to the Department on June 23, I expressed the opinion that these people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races. Further intercourse with them has confirmed me in this opinion.

Why should we place them on a different basis from that on which Cuba stands under our declaration? We have professed for a long time to be horror-stricken in view of our laboring classes having to compete with the "pauper labor of Europe," and here we propose to wrap the idolized flag around 8,000,000 alleged paupers who are not to be restrained by the contract-labor law from coming to the United States or being brought here by those who seek cheap labor for the purposes of enhanced gain!

A great deal has been said in the course of this debate regarding the great increase of trade that is to be had by the acquisition of these islands.

A little study of this question must convince the ordinary student that it is not necessary for us to go forth with sword in hand to hold our own in the trade and commerce of the world.

Statistics show that while in 1893 our exports exceeded our imports about \$100,000,000, in 1898 our exports exceeded our imports by \$321,000,000.

Russian merchants and dealers are very anxious at the present time to cultivate close business interests with the American manufacturers.

In the last report of Consul-General W. R. Holloway he said:

Notwithstanding the rapid progress Russia is making in the establishment of manufactories, she is not able to keep pace with the increased demand for iron, locomotives, cars, coast steamers, battle ships, elevators, electrical apparatus and supplies, woodworking machinery, tin plate, agricultural implements, rosin, cotton, roofing slate, leather, scales, heavy ordnance, typewriters, tools, bicycles, sewing machines, hardware, coal and other machinery, photographic materials, as well as in other lines in which our supremacy is unquestioned. Russia offers such a rich field for investment and profitable trade that our manufacturers should study the market and methods of doing business. The Russian railway and manufacturing systems are now in their infancy, and there will be for years a constant demand for car material, railroad machinery, etc.

In order to secure all the advantage of trade with Russia we must cultivate the most friendly associations with her, which will be impossible if we become allies of England in the land-grabbing business in the far East.

In years to come will our history not read better when it records our advances in commerce and trade through the cultivation of the arts of peace and industry, rather than by accomplishing these results by the sword of conquest? Much has been said upon the floor of this House during the past three or four days of the obligations that we owe to the rest of the world to absorb the Philippine Islands. I have not been able to understand, as some gentlemen here have expressed themselves, that we were under any obligation to any empire in the world to subjugate the Filipinos.

I do not understand that Admiral Dewey, when he captured Manila, received any aid from any nation except the help that he received from the Filipinos under Aguinaldo. Are we not morally obligated, in coming to a conclusion regarding the government of these islands, to consult those who were glad to have as our allies in our war with Spain? At the present time the American nation is watched as it never was watched before. We are in a position of trial before the people of the world. We have always passed as the champions of liberty and independence, and on every patriotic occasion have called forth memories of Bunker Hill and of Lexington and of Valley Forge. We have gloried before the world our boast that this country has done more for freedom and for liberty and for independence than all the nations of the earth combined.

Is all this to be lost by the appeal to our sense of gain and of conquest? Do we not owe an obligation to our past history to perform the task that is before us in an honorable and American way? Will we not transmit a great heritage to our children and to our children's children if we say to the Filipinos that we have no desire to conquer them—that we have every desire to give them freedom and independence? Will we not show to the rest of the world that the present generation, who have always pointed to the history of the Republic for the past one hundred years, are in accord with the teachings of that history, and that we are not carried away by the splendors of fleeting triumph, but rather glory in the freedom of our fellow-men? [Loud applause.]

Will we send back to France the Statue of Liberty which has stood at the entrance of New York Bay as the beacon light of freedom and welcomed millions of the oppressed of other nations? When the stranger visits Boston, will we walk him in silence by the Old South Meetinghouse, the Old Statehouse, and Faneuil Hall, where the voice of liberty first sounded the death knell of English dominion over the colonies? What themes in the future will furnish inspiration on our great national holidays? How meaningless will become phrases of "liberty," "independence," and "freedom" in the mind of the American schoolboy. I am one of those who believe that we owe more to ourselves and our history than we do to any nation on the face of the globe.

I am also one of those who prefer that civilization which develops and spreads through the practices of justice and freedom and truth. I prefer the civilization which one of our great writers delineated when he said:

Civilization is not dominion, wealth, material luxury; nay, not even a great literature and education widespread—good though those things be. Its true signs are thought for poor and suffering, chivalrous regard and respect for women, the frank recognition of human brotherhood, irrespective of race, color, or nation or religion; the narrowing of the domain of mere force as a governing factor in the world, the love of ordered freedom, abhorrence of what is mean and cruel and vile, ceaseless devotion to the claims of justice. Civilization in that, its true, its highest sense, must make for peace.—Lord Chief Justice Russell.

During the present debate upon this measure some of the members have been pleased to refer to our obligations to England in the recent war with Spain. During the past six months various writers have intimated that our Army and Navy never would have been successful without the aid of England. This has led to suggestions in various quarters that the time is now ripe for an offensive and defensive alliance with England. It was only this morning that I read in the Washington Post a quotation from a speech of Sir Matthew White Ridley, secretary of state for the home department, in which he said, among other things, that—

The results of the war had been to make the United States an important factor not only in Asiatic, but possibly also in European politics, and to bring America face to face with some of the colossal problems and difficulties which Great Britain had long experienced.

This sentence gives the whole English case away.

Whatever friendship she has exhibited has been extended with the hope that we would become her allies in the contest that must soon result for dominion in the far East. To my mind the idea is ridiculous that we could not conquer a fourth-class nation like Spain without the aid of England. I think it is an insult to every one of the brave soldiers and sailors who fought our battles on land and sea.

I do not think that the great body of the American people believe this rot, and I feel certain that the vast majority of them are against any alliance with a nation that has ever been our enemy.

I do not think that the people of this country have so soon for-

gotten the outrageous conduct of Great Britain in the war of 1812, as well as her intense interest in the success of the South during the civil war. I inclose a quotation from President James Madison, written March 4, 1813, and one from President Ulysses S. Grant, December 6, 1869:

[James Madison, March 4, 1813.]

They have retained as prisoners of war citizens of the United States not liable to be so considered under the usages of war.

They have refused to consider as prisoners of war, and threatened to punish as traitors and deserters, persons emigrating without restraint to the United States, incorporated by naturalization into our political family, and fighting under the authority of their adopted country in open and honorable war for the maintenance of its rights and safety. Such is the avowed purpose of a Government which is in the practice of naturalizing by thousands citizens of other countries, and not only of permitting but compelling them to fight its battles against their native country.

They have not, it is true, taken into their own hands the hatchet and the knife, devoted to indiscriminate massacre, but they have let loose the savages armed with these cruel instruments, have allured them into their service, and carried them to battle by their sides, eager to glut their savage thirst with the blood of the vanquished and to finish the work of torture and death on maimed and defenseless captives.

[Ulysses S. Grant, December 6, 1869.]

Toward the close of the last Administration a convention was signed at London for the settlement of all outstanding claims between Great Britain and the United States, which failed to receive the advice and consent of the Senate to its ratification. The time and the circumstances attending the negotiations of that treaty were unfavorable to its acceptance by the people of the United States, and its provisions were wholly inadequate for the settlement of the grave wrongs that had been sustained by this Government, as well as by its citizens.

The injuries resulting to the United States by reason of the course adopted by Great Britain during our late civil war—in the increased rates of insurance; in the diminution of exports and imports, and other obstructions to domestic industry and production; in its effect upon the foreign commerce of the country; in the decrease and transfer to Great Britain of our commercial marine; in the prolongation of the war and the increased cost, both in treasure and in lives, of its suppression—could not be adjusted and satisfied as ordinary commercial claims which continually arise between commercial nations; and yet the convention treated them simply as such ordinary claims, from which they differ more widely in the gravity of their character than in the magnitude of their amount, great even as is that difference. Not a word was found in the treaty, and not an inference could be drawn from it, to remove the sense of the unfriendliness of the course of Great Britain in our struggle for existence, which had so deeply and universally impressed itself upon the people of this country.

In the civil war also, when the life of the nation was at stake, England recognized the Confederacy, and the Times, which then represented the Government, joyfully exclaimed, "The bubble has burst, and the great Republic is no more."

Of course she now seeks our friendship, because she is despised and hated by every civilized government in the world.

What party will propose an alliance with a government that has committed every conceivable form of barbarity and oppression upon the peoples of Ireland and India for hundreds of years? No Administration can live and no party can survive in this country that will to-day advocate an alliance with England against the Governments of France and Russia, both of whom have been our friends in time of need. [Great applause.]

The people of Irish extraction in this country to-day are most loyal and devoted to this Republic. They do not wish to bring the quarrels and struggles of the old land into the varied problems that confront the American people. They can not forget, however, the history of their beloved island, and until England does justice to Ireland by allowing her to govern herself she may expect the uncompromising opposition of every man with a drop of Irish blood in his veins.

In the war just closed a large portion of the men who fought in the ranks were of Irish extraction, though American born. The history of Ireland's struggle for freedom and liberty is as familiar to them as are the pages of American history, and the ardor and bravery which they exhibited at Manila Bay and at Santiago, at Guantanamo and San Juan Hill, reflected the spirit of their heroic ancestors.

Standing upon this floor as one of the chosen representatives of the American people, I send word to Lord Salisbury and the Right Hon. Joseph Chamberlain that although England has subdued Ireland at home she has not conquered the spirit that animates the race.

I send word to these illustrious statesmen from this Chamber, where reigneth the hope and aspirations of the American people, that the children and children's children of that people whom England has ground down with an iron hand and impoverished with remorseless hate are such a power to-day in this land that no Administration and no party dare make an alliance with the English Government.

I send word to them that just so long as England refuses to recognize the just demands of the Irish people at home, just so long will she find every man with a drop of Irish blood in his veins—and they number several millions in this country to-day—a thorn in the side of the English Government. [Loud and long-continued applause.]

Army Appropriation Bill.

SPEECH
OF
HON. WILLIAM SULZER,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,
Friday, February 24, 1899.

The House being in Committee of the Whole on the state of the Union and having under consideration the bill (H. R. 12105) making appropriations for the support of the Army for the fiscal year ending June 30, 1900—

Mr. SULZER said:

Mr. CHAIRMAN: This is the regular Army appropriation bill for the next fiscal year, and it appropriates four times as much money for the Army as was ever appropriated before in any one year in the history of the Government. It appropriates more than twice the sum asked for to maintain and increase the Navy.

This bill takes out of the Treasury—in other words, out of the pockets of the people—the sum, in round numbers, of eighty millions of dollars. The last regular Army appropriation bill carried only about twenty-three millions of dollars. What a difference! What a comparison! And yet, sir, it is said by those who speak with authority, who speak as experts, that this Army appropriation bill will cause a deficiency of forty-five millions of dollars. Alas, well may we exclaim, Whither are we going?

Let me repeat at this time what I have frequently said before on the floor of this House, that I am now, always have been, and always will be, opposed to a large standing army in time of peace.

In a Republic like ours a great standing army in time of peace is inimical to civil liberty, an unnecessary drain on the resources of the people, and a menace to free institutions. We do not need a large standing army of soldiers in a country like ours. They are consumers, not producers; they are tax eaters, not taxpayers.

In a Republic like ours we should rely on the volunteers in case of trouble or emergency. I believe in the citizen soldiery of our land. I speak for them now as I have in the past, and I stand for them. The history of the past demonstrates how useful, how efficient, how brave, how heroic, and how self-sacrificing they are. No words of mine can do justice to the brave volunteers of the Republic.

In praising the valor and the gallantry of our volunteers, however, I would not be just to myself or to them if I did not at the same time give full and due credit to the regulars. We must have regulars, but in time of peace and tranquillity we do not want a single regular soldier more than is absolutely necessary.

As I have said before, I would keep the Regular Army in time of peace down to the minimum, and at the same time provide for a national reserve force of volunteers or militiamen, who should be drilled the same as the regulars, organized the same, and equipped the same. This, in my judgment, is the true and the simple solution of our military system of army organization. If we would do this in case of war or trouble, we could in less than thirty days put a half million well-drilled, well-organized, and well-equipped soldiers in the field, the equal of any in Europe, regulars in every sense of the word.

If we would do this, the expense to the people would be very small and the results beyond calculation. Sooner or later, in my judgment, we must come to it. The recent war with Spain should be and is an object lesson to every citizen in the country.

And in this regard, without presuming, I would make another suggestion: The whole Army, line and staff, should be thoroughly reorganized, and patterned after the best military system in the world. If we would do this, there would never again be a repetition of the abuses, the negligence, the incompetency, and the criminality so flagrant and outrageous as those which occurred and disgraced the nation in the recent Spanish-American war.

In my judgment the conduct of the recent war should be thoroughly investigated. The American people will never be satisfied until it is done, and rigidly and vigorously done, by a Congressional investigating committee.

The commission appointed by the President was a whitewashing commission and only added insult to injury. That commission was unauthorized, without warrant of law, and had no legal authority to send for books, documents, papers, and persons. It could not administer oaths, its labors were abortive and impotent, and its report a roaring farce and a hollow mockery.

The people had no confidence in that commission, and treated it with the contempt it deserved. It did not elicit the truth. It did not try to. On the contrary, it seemed to studiously endeavor to avoid the truth, evade the damning facts, cover up the frightful fraud, hide the peculation, and smooth over the criminal corruption, incompetency, and negligence of those trusted with responsibility and high in authority.

Mr. Chairman, on the first day of this session—to be specific, on

the fifth day of December, 1898—I introduced in this House the following resolution:

Resolved, That the Committee on Military Affairs be, and the same hereby is, authorized and directed to investigate the War Department and the conduct of the recent war between Spain and the United States, and report all of said proceedings, with their findings, conclusions, and recommendations, to the House of Representatives with all convenient speed.

Resolved, That said committee is hereby authorized and empowered to send for books, documents, papers, and persons, examine persons under oath, sit in any part of the United States, employ a stenographer, and that the Sergeant-at-Arms is hereby directed to attend said committee and carry out its directions.

Resolved, That the necessary expenses of the investigation be paid out of the contingent fund of the House.

That resolution was in proper terms and would have accomplished the results desired. It should have been referred to the Committee on Military Affairs, of which I am a member. If it had, I would have had it reported and passed. The Speaker, however, with great discernment of mind, no doubt thought as much, and quietly referred it to his own committee, viz, the Committee on Rules, of which he is the chairman, and there it has slept ever since the sleep which knows no awakening. All my efforts to get a hearing on it, or a favorable report, have been in vain. When it went to the Committee on Rules it went to its grave. From that legislative mausoleum no resolution ever returns, unless perchance the Speaker favors it. What a commentary on free institutions!

This session is now at an end. The Fifty-fifth Congress—the most profligate, the most extravagant, and the most boss-ridden Congress in the history of the Republic—has done its work and takes its place in the annals of the past. The people will weigh it and judge it. The verdict must be, and will be, one of condemnation.

Let me say here and now, however, that if I live to take my seat in the Fifty-sixth Congress I shall reintroduce the above resolution to investigate the conduct of the war and the War Department, and I will do all in my power to pass it and thus bring about an honest and a searching inquiry that will lay bare the facts and the truth, and let no guilty man escape. So much for that.

Mr. Chairman, I was opposed to the Alger-Hull imperialistic army bill, and I voted against it when it passed this House. It is now in the Senate, and I doubt very much if it will ever pass that body and become a law. That bill violated every principle of Democracy and invaded every safeguard of our free institutions. From the best information I can get the bill is now as dead as a door nail. And yet, sir, it is now proposed by the committee to pass this bill carrying appropriations based on the estimates of that bill. In my opinion, we should not pass an appropriation bill for the Army until we know just what kind of an Army we are going to have.

This bill appropriates eighty millions of dollars. The chairman of the committee says that is enough. The Secretary of War says in his estimates it will require one hundred and sixty-six millions of dollars to carry out the provisions of the Alger-Hull bill for the next fiscal year. The best mathematicians in the Treasury Department say to carry out the provisions of the Alger-Hull imperialistic army bill for the next fiscal year will necessitate an appropriation of one hundred and twenty-five millions of dollars. So whichever end of the dilemma you take, there is bound to be a terrible and a glaring deficiency. And the Treasury is nearly empty, war taxes continue without abatement, and the people are being robbed under the guise of law more now than ever before in all our history.

How much longer will the people submit? How much longer will they tolerate the wanton, the corrupt, the profligate, and the intolerant rule of the Republican party? Let them answer at the ballot box.

In the interest of economy, for the safety and the perpetuity of our free institutions, and on behalf of the tax-burdened people of our land, I enter my emphatic protest against a great standing Army in time of peace.

We witness to-day in France the results of a great standing army in time of peace, overawing the people, threatening revolution, stamping on civil liberty, burdening the taxpayer, subordinating freedom and justice to gold lace and shoulder straps, denying a poor, innocent Hebrew a fair trial, laughing at law, and making free institutions a mockery and a sham. As France passes into the shadow of her former greatness—a victim to militarism—would it not be well, my countrymen, for us to take warning by the great lessons of history, and, ere it be too late, set our faces firmly against any innovation in our long and successfully established army custom? Let us make haste slowly in respect to a great standing army.

Mr. Chairman, during this debate a great deal has been said in regard to Cuba and the Philippines. The President, in his recent speech in Boston, said the whole Philippine question was referred to Congress; that Congress would grapple with the problem and determine what should be done with the Philippine archipelago. I hold in my hand an editorial from this morning's Washington Times in regard to a conference held yesterday at the White

House. It seems to be authentic and shows how inconsistent the Republican party is; what a difference there is between the President's promise and the party's performance. I send this article to the desk, and ask the Clerk to read it for the information of the members and the edification of all assembled. It tells the story of perfidy and surrender.

The Clerk read as follows:

A WHITE HOUSE CONFERENCE.

This was the situation until yesterday morning when a conference was held at the White House, in which Senators Allison, Hawley, Hanna, Spooner, and Carter participated and at which the compromise with the Democrats was agreed upon. Senators Allison, Spooner, and Hanna have always favored any step which would render an extra session unnecessary. Senator Hawley, on the other hand, only two days ago proclaimed publicly in the Senate that he would accept nothing but "unconditional surrender" from the opponents of the bill, and Senator Carter insisted that the reorganization measure must be passed, pure and simple. These Senators were, however, willing to agree to a compromise yesterday. The reasons which operate against an extra session are mainly two, as follows:

"The discussion of the financial question, which would be precipitated, is avoided."
"By a recess of Congress the President is given nine months of unrestricted power to operate in the Philippines and solve the problems of expansion."

Mr. SULZER. That article, Mr. Chairman, tells the whole story, and gives the reasons why the Republican party has come off its high horse, and is now willing to accept a reasonable and a temporary army bill to tide over the present emergency. A few days ago the Democrats were told by the Republicans here and in the Senate that they must unconditionally surrender their opposition to the Alger-Hull bill. To-day—right about face, march—the Republicans have, forsooth, unconditionally surrendered to the Democrats. What a complete change of front! What a transformation!

The President wants Congress off his hands for nine months. He wants nine months more of unrestricted power to wrestle with Aguinaldo, nine months more of unrestricted power to subjugate the Philippines. I have not time now to discuss this question as I should like to. I have decided opinions regarding the Philippine question—opinions I formed long ago—which I believe to be right, and which I will religiously adhere to until I am convinced that I am wrong. Some other day, ere this session ends, I trust I will get time to give my views on the Oriental situation. Let me now briefly, in the short time I have left, call your attention to the Cuban situation.

As a member of the Fifty-fourth Congress and of this Congress it is well known to all that I was an ardent, an earnest, and a sincere friend and sympathizer of the Cuban patriots. I missed no opportunity, in Congress and out of Congress, to champion their rights and their cause. I aided them and I helped them in every way I could. The record speaks for itself, and I point to that record with pride and with some personal gratification and individual satisfaction.

Sir, I early saw that war with Spain over Cuba was inevitable, and when others faltered and held their peace I spoke out in no uncertain tones. I advocated war. I voted for war. I worked and voted to free Cuba. I voted for men, for munitions of war, and for every dollar that was needed to vigorously and successfully prosecute that war to a victorious determination in favor of the United States. I denounced the dastardly sinking of the *Maine*, and the villainous and cruel assassination of her heroic crew. War finally came. It had to come.

With all my countrymen I gloried in the signal and triumphant victories of Dewey at Manila, of Schley at Santiago, of Wheeler and Kent and Roosevelt at El Caney, at Siboney, at San Juan, and of Miles in Porto Rico. All our soldiers and sailors did their duty. They all shed luster and glory on American arms and added a bright chapter to our illustrious history. They were all heroes, each and every one. They have reared a monument to their fame that is imperishable. When the call to arms came there was no lack of men. Thousands and thousands who wanted to go to the front never got a chance to go. Thousands and thousands who finally were successful enough to get mustered in never got beyond the deathly and pestilential camps at home.

Mr. Chairman, my heart was in the cause of Cuba. I had talked for Cuba, and when the time came I wanted to fight for Cuba, like thousands and thousands of others all over this land. After the destruction of the *Maine*, and some time before the official declaration of war against Spain, I wrote the following letter to Frank S. Black, then governor of my State:

WASHINGTON, D. C., April 9, 1898.

MY DEAR GOVERNOR: In the event of war with Spain, which now seems inevitable, I desire, through you, to place my services at the disposal of the State to serve my country in any capacity I can in defense of the national honor, for the glory of the flag, and for Cuban independence.

You and I served together in Congress, and you know how intensely I feel regarding the Cuban question.

When hostilities begin, if you will give me authority, I can organize very quickly a good volunteer regiment in the city of New York, and I appeal to you for leave to go to the front.

Trusting you will give this communication your earnest attention and advise me at your earliest convenience, believe me, as ever,

Very sincerely, your friend,

WM. SULZER.

Hon. FRANK S. BLACK.

In answer to that communication to Governor Frank S. Black, of the State of New York, I received the following from his military secretary:

STATE OF NEW YORK, EXECUTIVE CHAMBER,
Albany, April 11, 1898.

DEAR SIR: Governor Black is in receipt of your communication of April 9, in which you offer your services in the event of war. In reply thereto permit me to say that the same has been referred to the adjutant-general, from whom you will doubtless hear should occasion arise for such services.

The Governor wishes me to thank you for your letter and to assure you of his appreciation of your patriotism.

Respectfully,

GEORGE CURTIS TREADWELL,
Military Secretary.

Hon. WM. SULZER,

House of Representatives, Washington, D. C.

The next day I received the following from the adjutant-general of the State of New York:

GENERAL HEADQUARTERS, STATE OF NEW YORK,
Adjutant-General's Office, Albany, April 12, 1898.

SIR: I have the honor to acknowledge receipt of your communication of the 9th instant, addressed to the Governor and referred by him to this office, tendering your services in the event of a war with Spain, and in reply am directed by the adjutant-general to inform you that the same has been placed on file and will receive due consideration should a call for volunteers be made.

Respectfully,

FRED. PHISTERER.

Hon. WILLIAM SULZER, M. C.,

Washington, D. C.

Believing, then, that war with Spain was inevitable—that the conflict could not be postponed—I began in the city of New York, in conjunction with several well-known military gentlemen the formation and organization of a volunteer regiment. We enrolled over 2,000 men, and no better men ever stepped in the ranks. These men were all examined by two surgeons before they were mustered in. The regiment was thoroughly organized and drilled when war was declared. When the President's call for volunteers came, we offered the regiment immediately to the Government through the governor of the State. He refused it. Every effort was made to get Governor Black to accept the regiment, but it was useless. He refused to accept volunteer regiments. Nearly all the officers of this regiment were trained military men and most of them had seen active military service.

The lieutenant-colonel was Col. John W. Marshall, a most distinguished officer during the civil war. The first major was Maj. Peter F. Rafferty, a gallant soldier of the civil war. The second major was Gen. A. C. Fish, formerly of Ohio, and who commanded one of the crack regiments from the State of Ohio during the civil war. Another officer was Gen. Lopez de Queralto, who was a colonel on General McClellan's staff during the civil war, and subsequently served with General Gomez in the Cuban ten years' war. Another experienced officer of the regiment was Col. T. C. Campbell, a distinguished and a gallant soldier during the civil war. The officers were all duly elected by the men of the regiment, and nearly everyone was a trained soldier, who had seen active military service. After Governor Black refused to give us a chance, we did all we could to have the President accept the regiment.

On the 5th day of May, 1898, I received the following telegram from the regiment:

NEW YORK, May 5, 1898.

Hon. WM. SULZER,
Washington, D. C.:

We have 2,000 men enrolled and have elected you colonel. See the President. Will go to Cuba or Porto Rico. Governor Black will not give us a chance.

JOHN W. MARSHALL, Colonel, and
PETER F. RAFFERTY, Adjutant.

In answer to that telegram I requested the officers of the regiment to come to Washington to see and confer with the President and with General Miles. They came to Washington and we saw the President, who received us courteously and promised to accept the regiment if a joint resolution could be passed through Congress authorizing him to do so. The next day I introduced the following joint resolution:

Joint resolution authorizing the President to accept a regiment of riflemen from the State of New York.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to accept for the service of the United States, in addition to the troops already authorized, a regiment of volunteer dismounted riflemen from the State of New York, the regiment to consist of 12 companies, each of the strength, on a war footing, authorized for the infantry arm of the Regular Army.

There was much opposition to this resolution and it could not pass.

General Miles was anxious to have the regiment mustered in. It was peculiarly fitted for active service in Cuba or Porto Rico by reason of the training and experience of its men and officers, and because about 800 of its members were Cuban-Americans who had seen service in Cuba.

The muster rolls and all papers and documents about, connected with, and concerning the regiment were filed, and are now on file, in the War Department. I doubt not many others in the country met with the same experience we did. No one, I think, who is familiar with the facts will deny the favoritism manifested

in the States and at the War Department in regard to enlistments, regiments, and commissions. I cite these facts not to complain, but to demonstrate the martial spirit of our people—how anxious when danger threatens they are to volunteer and sacrifice their all on the altar of their devotion to country.

The whole history of the Spanish-American war is an eulogy and a psalm to the volunteers, and refutes every argument made by the advocates of a great permanent standing army.

I favor a great navy, and will do all in my power to accomplish that object and maintain it by liberal appropriations. But I am now and always will be opposed to quartering a large army of regular soldiers among our people in time of peace.

Mr. Chairman, in my opinion the time is at hand when the President should order the discharge of every man who left his business, his home, and his family to enlist for the war against Spain. That war is over and those men should be released at once. It is a great injustice to compel them now to linger in the camps or do police duty in our island possessions. I trust that every volunteer will soon be discharged and sent home to his family and his business. This is as it should be.

Mr. Chairman, we only need a few men in Porto Rico. We will have no trouble there. In a short time, I hope, all difficulty and all trouble will be over in the Philippines. In regard to Cuba the faith of the nation is pledged to quickly restore law and order in that beautiful island and let the people there establish a republic of their own. We must keep our promise. The Cuban people must be permitted to govern themselves. We should withdraw all our troops from that island before the unhealthy season begins. The Cuban republic, by the grace of God and American arms, must and will take its place among the nations of the world. [Applause.]

[Here the hammer fell.]

An Appeal for the Orphans of the District of Columbia.

SPEECH

OF

HON. DAVID B. HENDERSON,

OF IOWA,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the conference report on the District of Columbia appropriation bill—

Mr. HENDERSON said:

Mr. SPEAKER: If I have read aright the experience of mankind, I have yet to learn that there is any sectarianism in taking care of an infant child. I do not know of such a thing. Now, the gentleman [Mr. GROUT] has admitted in his statement that, notwithstanding the law of three years ago, these institutions were appropriated for; and we all know that one Congress can not tie the hands of a succeeding Congress. The gentleman says these little fellows are provided for, because there is something given to the board of charities.

Mr. GROUT. The Board of Children's Guardians.

Mr. HENDERSON. Yes; the Board of Children's Guardians—tied up and limited under certain conditions; the money can not go to these institutions directly. Now, I have in mind St. Joseph's Orphan Asylum, as well as others. St. Joseph's has, on an average, all the time 100 boys there, with good clothing, good food, well washed, and kept, and cared for, so that when you look into the faces of that little army of boys, as I have done again and again, they look as healthy and vigorous and well cared for as any family you can visit.

These Sisters of Mercy attend to them as mothers tend their own children. St. Ann's has been spared from the thunderbolt of these gentlemen's vicious attack upon the orphans of this District; yet St. Joseph's Orphan Asylum takes these little infants from St. Ann's. As they leave their little cradles, where they are laid, and get out of the arms of their nurses, St. Joseph's takes them.

Is there any aristocracy or democracy in benevolence? Does God draw lines across the human heart to shut off the impulse of humanity toward the fatherless and the motherless? Why do you talk about "sectarianism" in connection with this question? No human being was ever stricken down with sorrow, no infant ever lost a father or a mother, when humanity was shocked if that stricken one, that motherless and fatherless child, was taken care of by some one, Protestant or Catholic.

This city has no place for orphans. This Government, which is in partnership with the District of Columbia, has no orphan asylum. The aid we render these institutions is the method through which this city council sitting here to-night takes care of its orphans. One of the strictest constructionists in the appropriation of money that ever sat in this House was Samuel J. Randall, and

he was always a hero in defense of these children. We have for years been paying this money to help these institutions take care of them. St. Joseph's Orphan Asylum has had \$1,800 a year for many years. The Senate to-night tried to persuade the gentlemen of this conference committee to leave a thousand dollars of the \$1,800; but they would not do it—not a dollar. These institutions must be stripped of all the aid they have received from the Government. You bring in a bill taking away the \$1,800 and refusing to give even a thousand. Nothing will satisfy the gentleman who presents this report but to throttle these fatherless and motherless children, unless they can be placed in the care of some institution that will not tolerate "sectarianism," some institution that must be run in his own way.

Will the gentleman please state whether there is any extravagance in taking care of these orphans by this method? Will he dare to say there has been mismanagement—that any child has been abused? These little fellows, after reaching the age of 12 or 13, have homes provided for them, often Protestant homes, although this is a Catholic institution. They are educated. They are clothed and fed and made happy by these sisters, working for nothing to take care of them. No institution in any State—I challenge the gentleman to deny it—is managed with such economy as these institutions are. Gentlemen of this House, until the District of Columbia or Congress furnishes homes for these little ones do not turn your backs on them, as this bill mercilessly proposes you shall do.

Gentlemen may think that I feel deeply on this question. I do. It is well known that I am not Catholic. Perhaps I am in big luck if I can be regarded as a thoroughbred Protestant. I do not wear any religious shackles. The religion of God is unfettered. I realize the claims of humanity, wherever I find it, in health or in suffering. But I can remember the time in 1861 when, in the Good Samaritan Hospital of St. Louis, these "Little Sisters," with their white bonnets and their pure, innocent faces, received into that institution my comrades who had measles and smallpox and nursed them as only wives and sisters nurse. And from that hour in 1861 I swore that I would defend them in their works of mercy. And I have done so on the floor of this House, with the A. P. A. organized in my city. [Applause.] And I do it to-night, defying those who would throttle an orphan child and bow the supple hinges of the knee to worse than "sectarianism"—to a more bitter tyranny than "sectarianism." No cross or crescent is more dangerous to this Republic than these men who meet in secret and try to intimidate Congress from the discharge of a sacred duty to the fatherless and motherless.

I have discussed this question before. I feel all that a man can feel in my earnestness about this matter. I feel the impulses of a man who should do his duty even if a Damascus blade in the hand of some secret organization is held over him.

I do not intend to say any more, Mr. Speaker. I shall vote against the acceptance of this report. I call on every member of this House who loves his race, who would care for the unfortunate members of it, to condemn this report; and, if it be voted down, I shall offer a resolution to instruct the gentleman from Vermont, who stands alone, casting two votes in this Congress, to take care of these little orphans. [Applause.]

Banking and Currency.

SPEECH

OF

HON. JOSEPH H. WALKER,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

On the financial, banking, and currency question, the history and present condition, etc., of the reform of our Treasury—

Mr. WALKER of Massachusetts said:

Mr. SPEAKER: I must claim the indulgence of the House more than ever before, for I have a cold so severe that I can hardly articulate, and am otherwise indisposed. I wish after occupying thirty minutes to be notified, that I may yield twenty minutes to anyone who desires to reply; and then I will occupy the other ten minutes, making the hour, of course subject to interruptions at any time by privileged reports or questions.

Mr. Speaker, the time has come when my own self-respect, a decent regard for the opinions of my associates on this floor, my duty to the House, to the country, and to the great cause of Treasury, banking, and currency reform requires me to speak in the discharge of the great duties committed to me in the commission I received from the House through the Speaker in my appointment as chairman of the Committee on Banking and Currency four years ago, and ten years ago as a member on that committee. It so happens that gentlemen with pet measures have been carried

away by their enthusiasm to do and say many things wholly unworthy of them, and many of them without any foundation in fact. I will send to the desk and ask to have read one or two extracts from newspapers.

The Clerk read the extracts, as follows:

[Worcester Gazette, January 26, 1890.]

AN OBSTACLE TO CURRENCY REFORM.

[From the Providence Journal.]

Now that the Hon. JOSEPH WALKER, though a sound money man, is appearing in company with the silverites in opposition to currency reform measures before the House committee, we may feel a new satisfaction that he was not returned to the next Congress. As a private citizen he may exploit his currency idiosyncrasies without much harm to anybody; as a member of the House he was an obstacle to the consummation of currency reform.

[New York Evening Post, January 3, 1890.]

Mr. WALKER of Massachusetts is a man who is always "on the off side." A professed friend of currency reform, he has, by his "crankiness," done more to thwart progress than any silverite in the House, and it will be a great gain for the cause of sound legislation when he surrenders his seat to the gold-standard Democrat who beat him for reelection last fall.

[New York Evening Post, January 24, 1890.]

THE CURRENCY REFORM MUDDLE—TWO HOUSE COMMITTEES NOW STRUGGLING FOR CONTROL OF THE QUESTION—PROSPECTS FOR LEGISLATION ARE VERY FAINT.

WASHINGTON, January 23, 1890.

The currency reform situation in Congress is assuming a phase that is almost farcical. A meeting of the committee was called to consider Mr. VAN VOORHIS'S bill. The result was something like a ward caucus. Every member who has a bill of his own began to declaim upon its merits, while Chairman WALKER vociferated that the Walker bill was the only currency measure worth considering, and that all the others were humbugs, brandishing meanwhile the report he made last session, and challenging the whole world to controvert its arguments. When the hour for adjournment was reached, it turned out that the whole session had been consumed in a noisy debate, and that no action whatever had been taken.

MR. WALKER NOT IN WASHINGTON.

Mr. WALKER of Massachusetts. Now, Mr. Speaker, the last extract was not from a regular correspondent, but a visitor in Washington not specially favorable to the Indianapolis commission or to the bill prepared by it, or to any bill in the committee. But it shows the atmosphere of this Capitol, pervading the whole of it, toward me and my attitude toward this great reform that I inaugurated ten years ago, and for four years was the only advocate of in this broad country until the Baltimore plan was formulated on October 11, 1884. That gentleman simply observed this attitude toward me as he came into the atmosphere of the corridors and in the House.

Not only was his statement untrue, but I was not even in the city at the time. I was in New York on the very day that he said I was guilty of the practices and of the things that are there described. It is not to me they should be ascribed. I do not call him to account; I do not say that he is not a thoroughly honest man. I believe that had I myself or my nearest friend come to Washington, as he did, to investigate the situation, I should have written practically the same libelous things. Let me call the attention of this House to the membership of the committee. They will remember that the gentleman from Connecticut [Mr. HILL] is a member of that committee; that the gentleman from Indiana [Mr. JOHNSON] is also a member, and the gentleman from Tennessee [Mr. COX] is a member and wants his full rights, and this while it has no Sergeant-at-Arms, who renders such efficient assistance in debate to some members on this floor.

Mr. COX. That is what I am going to have.

Mr. WALKER of Massachusetts (continuing). I would like to know whether order can be maintained. There has been a purpose to make it appear that the reason why measures referred to that committee have not succeeded was because the chairman of the committee was the unreasoning obstacle. Let us review the situation.

FIRST STEPS FOR BANKING AND CURRENCY REFORM.

I was elected to this House in 1888. I had written a little monograph on "Money, Trade, and Banking." When I found I was elected I took that up and read it carefully, until I came to the description of national banks. Remembering that I had struggled longer to justify the present organization of the national banks than any other thing in the book, I looked it over again, and before entering this House in December, 1889, I had made up my mind that the national-bank law was more oppressive, unjust, and deleterious legislation to the country than all other laws on the national statute book put together.

After the committees were appointed in January, I went to the chairman of the committee, the Hon. George W. E. Dorsey, of Nebraska, and stated my views on the question, and urged that the

duty rested upon him to prepare a bill that should reform the inequalities, that should release us from the robbery that is being perpetrated, especially upon the farming and sparsely settled districts of the country. I talked with him several times, but failed to impress him with the importance of the measure. I then went to the Hon. John Sherman, then a member of the Finance Committee of the Senate, whose acquaintance I had made. I had received from him and sent him many articles and speeches on the question of banking and currency, and always visited him when in Washington. I tried to interest him in this great reform. He replied that the bonds were being rapidly paid, and that it was a great task to legislate so as to still continue the great national banking system; that he saw no relief; that we probably must give up the national banking system and go back to State banks.

I suggested to him that I did not think that was at all necessary; that the national system could be easily saved without bonds; but he declined, saying that he was unwilling to undertake that great task. And no wonder. The obstacles that confronted Alexander Hamilton and Albert Gallatin when we inaugurated our Government, or John Locke and Sir Isaac Newton in England in reforming her money, etc., were not a tithe of what confronts any man who will undertake the task here. We have a sound currency in that all the money is kept at par. Ours was confessedly unsound in 1792, as was England's in Locke's time. Its fault is in being fearfully wasteful and also promotive of panics and industrial depressions. Therefore the first duty that this country ought to attend to, when the people will allow us to do it, is to reform its Treasury, banking, and currency system.

A REMEDY OFFERED.

Upon the request of the chairman of the committee, Mr. Dorsey, I commenced this great task alone and wrote a bill. I never yet, boy or man, have criticised any existing condition of things or measure without offering a remedy. And until I am ready to offer a remedy I will not do so. According to my notion, it is not honorable for a man to find fault who can not or will not undertake to suggest a remedy for the evil he deprecates. I introduced it in the House on April 1, 1890. From that day I have continued to study, work upon, change, and improve that bill to the present time, and it is now H. R. 10333.

GROWTH OF THE REPORT OF THE COMPTROLLER OF THE CURRENCY.

Not only that, but I want to say to this House that I have not only worked night and day upon this great reform, but the day I entered Congress that [holding up a book] was the whole of the first volume of the Report of the Comptroller of the Currency—330 pages—and that had been very largely increased in size and in the facts presented by my solicitation of facts from the Comptroller of the Currency and of information on this great question long before I was a member of this House, which the Department then could not furnish. It was through my solicitation and suggestion, writing to Hon. John J. Knox, that the first reports of the daily bank clearings were published some twenty or more years ago. If there has been any additional information comprised in any of these volumes that has not largely grown out of my suggestions I am not aware of it.

The report for 1893 contains 812 pages. There are no reports published by any government on the face of the earth that approach ours in fullness, accuracy, and importance.

From the time Mr. Eckels came into the Department until he went out of it we were in continual conference. He held one report back for a month in order to furnish in it many pages of what I solicited that all other men interested in the subject might have the advantage of it. If Mr. Eckels claims every improvement that has been made in that report during the four years he was in office, it does not rest with me to say that he is not fully entitled to the credit; and if he should say that I am entitled to very much of it, it does not lie with me to deny it. When two men are in as close association in the study of great problems and in publishing the results as we were, a matter of this kind is of no importance. You will not find me alluded to anywhere in these reports, for I have always requested that I be given no credit for anything, to avoid prejudice. I do not want any especial credit, but I do want the facts, and true, not bogus, reform in the interests of my country.

WORK IN THE FIFTY-FIRST CONGRESS.

Mr. Speaker, what do you suppose has occupied the time of the chairman of the Committee on Banking and Currency? During the whole of the Fifty-first Congress I rarely went to my bed till 1 or 2 o'clock in the morning, for I was also on the Committee on Coinage, Weights, and Measures, and the silver question was then rampant. I spent all my time, as everybody acquainted with me knows, either at my home or in the committee room or on this floor, engaged in the study and discussion of these questions, hardly allowing myself the slightest amusement, in my intense eagerness to work out some substantial results.

The duty with which I was charged by the Speaker of this House and by this House was first of all to protect and preserve

the laws we have—not to improve them, but to protect and preserve them—to see to it that no change was recommended to this House by the committee which would not incontestably improve and not deteriorate the laws of my country. That has been my principal occupation for the whole ten years. From the time five years ago, when the public first became interested in these questions, and up to now hundreds upon hundreds of communications have poured in upon me. I must read every one of them. I must give an intelligent answer. I must tell the why and wherefore if I would further this great reform. It was not enough to say to a man that his scheme was not practical. He should know why it was not practical, so that he might be educated himself and educate his neighbors as to what was practical.

TREATMENT BY THE INDIANAPOLIS COMMISSION.

The real reason for the treatment I have received since the appointment of the Indianapolis commission is known, I believe, to none but myself. The convention met January 12, 1897.

Mr. Speaker, I want to read here the words that I took down from the lips of a man who was sent to Washington to investigate and report upon the prospects of currency reform, for the purpose of seeing what progress had been made and what the promise was for the future. He said he was instructed "not to send any matter in any way complimentary of what Mr. WALKER of Massachusetts might say or do in connection with it, for they did not approve of his course in not working with the Indianapolis commission." He further said to me that I "might have had a great career as a financial reformer on the floor of the House of Representatives if I had not been so strenuous in support of my own bill."

WILL ACCEPT ANY SOUND BILL.

Now, sir, I challenge any member on this floor to find a solitary word that I have ever said on the floor of the House, or in the committee, or in private conversation, or in the thousands upon thousands of letters that I have written or interviews given upon the subject, that did not go to the point absolutely, that I would support any bill that anybody would prepare and present which would correct, in the first place, the injustice of forcing upon the United States Treasury the burden of maintaining parity of all of our currency and put the maintenance of the parity between our metallic currency and paper money with gold, on the banks of the country where it is put in all other parts of the world and so relieve the people of its cost, which is a great injustice. This cost is some \$70,000,000, directly and indirectly. This duty must be put upon the banks, the only power known to man that can maintain parity without cost.

Again, in the second place, the banks must be permitted to issue true bank currency that will be available for all purposes, and especially a money for use in the outlying farming districts of the country; and, thirdly, to place a small tax upon currency for the purpose of raising a fund to guarantee by the Government without loss every dollar issued by the Government to the banks.

Not only that, Mr. Speaker, but I have offered, and will offer here and now, to give \$1,000 to any benevolent society in any part of the country if any man will write a bill that will be more comprehensive, more thoroughly in accordance with true economic principles and sound banking principles, more easily understood, and that will accomplish the four things which I have suggested—viz, relieve the Treasury of maintaining parity by putting that duty on banks, unite all banks to do it, allow banks to issue true bank currency, and guarantee that currency by the Government—better than the bill that I present. As I have said hundreds of times, I have no pride of opinion in the matter. I was willing to accept a good bill, come from where it might. I was willing to do this, not because I believe the bill I have presented is not a good one, but for the purpose of relieving myself of the abuse which had been heaped upon me for adhering to fundamental banking principles and trying to do what I believed to be right.

In the four years that I have been the chairman of the Committee on Banking and Currency I have not detained that committee, according to my remembrance, but a single day, and that informally presenting the bill that I had drawn, and in explaining it. I have never had it formally before the committee.

MR. HANNA AND THE LOBBY.

Mr. Speaker, I want to say a word or two in reference to the Indianapolis commission. I wish to speak freely upon it, and also with reference to the chairman of the committee, Mr. Hanna, as well as of the extra persistent lobbyists they have employed about the Capitol. Let me say, to begin with, that I have never met a man who impressed me more favorably than Mr. H. H. Hanna, of Indiana. I do not think I have ever met one who impressed me more forcibly as to his integrity and intensity of purpose to accomplish a great reform than he. I shall certainly indulge in no unnecessary personal criticism of him.

I want to say, also, that the two gentlemen he employs about the Capitol to secure reform legislation in banking and currency also impressed me most favorably. Mr. Jules Guthridge, one of

the gentlemen to whom I refer, is one of the very best friends I have had from the time I came to Congress to the present time. He is a man who would knowingly do no injustice to anyone. The other gentleman, Mr. Conant, is of the same character, and what I have said of the other gentleman is true of him. He has the additional qualification of knowing a great deal on the question at issue. But Mr. Hanna has told me repeatedly that he knew absolutely nothing on the question personally as an expert.

Mr. Guthridge makes no pretense to a special knowledge of finance or banking. Of course there has been no design upon their part to do me injustice, but as I have stood like a rock for the four principles fundamental to this great reform and in opposition to every measure that did not recognize them, and have succeeded in defeating them, it was inevitable that all adverse criticism should fall on me.

WHAT HAPPENED IN THE BANKING AND CURRENCY COMMITTEE.

Of course the frailties of human nature as well as its virtues have been recognized in the members of the committee, as they are in all bodies of men.

Of the seventeen members of the Committee on Banking and Currency five were of the minority and soon excluded. Four wanted no general legislation. Three were ready to vote for any general bill. Four sought places on the committee, each to ride his hobby to the front. One soon tumbled off; one finally got off. One more clambered on a hobby found for him, making three that were in at the death.

The chairman consistently held to the four principles fundamental to any legislation looking to any improvement in our financial, banking, and currency situation, viz:

First. To relieve the United States Treasury of any responsibility for current redemption of any form of paper money.

Second. The putting of the maintenance of parity on the banks.

Third. Uniting the banks in order to enable them to maintain parity.

Fourth. Allowing the banks to issue true bank currency.

Proclaiming his willingness to support any bill drawn by any man that made sure the doing of these four things, he has as steadily refused to support any bill that would make confusion worse confounded, as every general bill the committee has yet formally considered surely would.

H. R. 10289 REPORTED WITHOUT AUTHORITY.

The voting began on the bill (H. R. 10289) that was finally wrongfully reported to the House on the 11th of May, but was never completed. On June 15 it was, without authority, reported to the House.

Mr. HILL. Mr. Speaker, in order to relieve the gentleman from Massachusetts from any embarrassment, I shall necessarily feel called upon to make a point of order that any proceedings of the committee are not to be revealed in the House. Now, I have not the slightest objection to the Chair overruling that point of order, because I want to violate it myself, if necessary.

Mr. WALKER of Massachusetts. I hope this will not come out of my time.

The SPEAKER pro tempore. The gentleman from Massachusetts has the floor.

Mr. WALKER of Massachusetts. The order under which I am speaking gives me authority to go into all the history of this reform, in the committee and out.

MR. McCLEARY WANTED HIS NAME ON THE BILL.

Mr. Speaker, when H. R. 10289 was completed, against the earnest protest of the chairman, who tried his best to induce the committee to allow the honorable gentleman from Minnesota [Mr. McCLEARY] to put his name on the bill, the committee, under the lead of the honorable gentleman from Connecticut [Mr. HILL] directed the chairman to introduce the bill into the House as an original measure and upon the ground that it was a committee bill.

Some declared that they would not support the bill on the floor of the House if it had the name of the honorable gentleman from Minnesota [Mr. McCLEARY] upon it, giving as a reason that "there was not a single substantive proposition in the bill originated by him," so that not even the name of Mr. McCLEARY appears, who very much desired that his name should go on the bill, but instead the name of Mr. WALKER, who protested against his name going on the bill he was so much opposed to.

The action of the honorable gentleman from Connecticut [Mr. HILL] and the honorable gentleman from Minnesota [Mr. McCLEARY], in forcing H. R. 10289 out of the committee and on to the Calendar of the House, on June 15, 1898, was so indefensible that the honorable gentleman from Minnesota himself made a motion at the meeting of the committee on June 24, 1898, that the bill be withdrawn from the House, which motion was adopted without a dissenting vote, but instead of doing so, by the advice of the honorable gentleman from Connecticut [Mr. HILL] and the lobby of Mr. Hanna, he did not withdraw the bill until again directed to do so seven months after, and again by a unanimous

vote of the committee, passed on January 11, 1890. He then delayed it as long as possible, until January 17.

SIX SUPPORTERS OUT OF SEVENTEEN MEMBERS.

On January 18 the friends of the bill could only rally 6 votes out of 17 on the motion to favorably report the bill. The unwarranted action in reporting the bill to the House on June 15, 1898, for which the gentleman from Connecticut [Mr. HILL] and the gentleman from Minnesota [Mr. McCLEARY] were principally responsible, together with the unwarranted statements of the Hanna lobby as to its being rightfully before the House and of its "having the support of a majority of the committee," determined those who were known to the lobby and to every member of the committee to be opposed to the bill, but who proposed to assist in getting the bill before the House for discussion, to withdraw even that action, which left only the vote of its supporters, 6 out of 17, in favor of the bill.

MEMBERS WHO IMMORTALIZED THEIR NAMES ON BANKING BILLS.

So this old world wags, and man suffers. By one of those unlooked-for and inexplicable but common disasters in the tide of human affairs, the honorable gentleman from Minnesota [Mr. McCLEARY] is left solitary and alone. While the honorable gentleman from Connecticut [Mr. HILL] and the honorable gentleman from New York [Mr. MITCHELL], by culling bills from those prepared by other men, have attained their great ambition, and their personalities will stand forevermore high in the temple of fame, by having their names written on the front of bills favorably reported to the House, to die on the Calendar with their merits unsung, the honorable gentleman from Minnesota [Mr. McCLEARY], equally persistent and deserving, is compelled to return to his constituents with the embarrassments of the campaign of 1898 still attending him in being unable to say on the stump, "Now, ladies and gentlemen, I will address you a few words on a banking bill that happens to bear my name." This is not the fault of the chairman, for I struggled hard to keep my name off and put his name on the bad bill that has been erroneously and unfairly called the McCleary bill.

Mr. COX. Mr. Speaker—

Mr. WALKER of Massachusetts. I decline to be interrupted. The SPEAKER pro tempore. Does the gentleman from Massachusetts yield to the gentleman from Tennessee?

Mr. WALKER of Massachusetts. I decline to be interrupted by the gentleman from Tennessee.

Mr. COX. I should like to put a question to him. If he is going to tell what the committee did, I want a chance to tell what the committee did.

Mr. WALKER of Massachusetts. I decline to yield. The gentleman made his speech yesterday. Mr. Speaker, I wish to say—

Mr. COX. If the gentleman will pardon me—

Mr. WALKER of Massachusetts. No; I will not "pardon" him for a moment, if it is to come out of my time. If I can have the time gentlemen can interrupt me as much as they like, and I will then invite interruption.

Every man who was a member of the Indianapolis commission knew within twenty-four hours after that bill was reported to this House that it was irregularly reported. They knew that a member of the committee [Mr. McCLEARY] was, by unanimous vote, directed to withdraw it from the House. They knew, furthermore, that it was not reported, even in the irregular manner in which it was reported, approved of by a majority of that committee. They knew that there were only 7 persons out of 17 who made any pretense of a purpose to support that bill on this floor.

Knowing the fact, the circular which I, with others who were in the Indianapolis convention, received makes the following statement:

CIRCULAR LETTER OF H. H. HANNA, JULY 19, 1898.

"The result obtained in agreement on the part of the majority of this committee was only accomplished after very thorough and exhaustive labor.

"The bill reported by the committee is a greater step in the right direction than the business men of the country had reason to expect would be secured at this early stage in the progress of the work.

"To measure the present condition it is only necessary to say that there is every reason to believe that the President and all the leading Administration Republican Senators and Congressmen and the 150 members of the House who signed the petition now stand united in support of the general principles of the committee's bill."

This statement as to the President is very remarkable. Not the slightest warrant for any such statement has yet been presented to the people.

Again Mr. Hanna says in his remarkable letter:

"Plans will be formulated in due time in order that the business men of the country may supplement the regular organization for work in the weak legislative and Congressional districts."

Aha! Why should not every member of Congress who desired reelection support the Hanna bill by adoption (H. R. 10289) when

they know there was \$50,000, \$100,000, perhaps \$200,000, behind their reelection? Chairman WALKER's four principles of reform embodied in a bill had only "a conscience void of offense" in allegiance to solid truth, behind them. Mr. Hanna promises them not only the Congressional life that now is, but that which is to come, as a reward for their vote; any supporter of Mr. WALKER's bill, defeat, perhaps.

Where a man did not pledge himself to support the bill (H. R. 10289), so far as my information goes, his defeat was desired by Mr. Hanna, as is shown by the extracts from the letters read.

REJOICED IN WALKER'S DEFEAT.

Furthermore, there was scarcely a paper in this country that was in the special interest of that commission but that was made to believe that my objection to the principles upon which bill 10289 was drawn was factious. Because I believed they would make confusion worse confounded, would make panics more intense and would bring them on faster, and would fasten the present iniquitous system on the country more securely than now, they were made to rejoice in my defeat.

All over this country papers were rejoicing in my defeat. There is another fact that is very significant.

Where there was one paper rejoicing in my defeat there were ten papers, fair and candid, that contained compliments to me such as I never expected to receive from my countrymen, in the expression of their regret that I was no longer to be a member of this House, and I take special pride in what was thus said of me. I received a letter from Mr. Hanna on this matter. I wrote him frankly a letter that I insert in the RECORD:

LETTER TO MR. H. H. HANNA.

WORCESTER, MASS., November 21, 1898.

MY DEAR SIR: I was pleased to receive your letter of November 18.

I have lived too long to concern myself with the newspaper stories written by the enterprising "space men." I saw not the slightest hint of such a thing as you suggest.

I presume by this time you have received the documents I sent, but should they fail to reach you please let me know and I will send other copies.

Very truly, yours,

J. H. WALKER.

Hon. H. H. HANNA, Indianapolis, Ind.

I did not see his hand in my district. I did not see it, because I did not look for or care for any "hand." I was defeated, and that was enough. No man ever knew me to undertake the care of dead horses. I prefer to feed live ones.

Mr. OVERSTREET. Will the gentleman yield to me for an inquiry?

Mr. WALKER of Massachusetts. Certainly.

Mr. OVERSTREET. I will ask the gentleman if Mr. Hanna did not tender his services in aid of his reelection?

Mr. WALKER of Massachusetts. I have said he did, and he is a man who means what he says.

Mr. OVERSTREET. Did not he do it in a letter, and did not you reply thanking him and stating that you did not think that you would have any trouble?

Mr. WALKER of Massachusetts. I paid no attention to my canvass, not making a speech in my district. I was in New Hampshire. I think he did. I am not speaking especially of my own district. That very fact still further enforces the truth of my contention.

Mr. OVERSTREET. I understood you stated it in a manner that left the impression that the organization of which he was the head had taken some steps toward your defeat.

Mr. WALKER of Massachusetts. My point is this: Those who favored his bill (H. R. 10289) all over the country and the men in my district as well—

Mr. OVERSTREET. You do not pretend to say—

Mr. WALKER of Massachusetts. I do not pretend to say that he personally undertook to do anything against me in the district, but by my friends all over this country it was understood that those who were seeking reelection to seats in this House and were not in favor of the bill (H. R. 10289) were a hindrance to monetary reform, as it is called, and I among the number.

The SPEAKER pro tempore. The Chair will state to the gentleman from Massachusetts that he has consumed the first thirty minutes of his hour.

Mr. WALKER of Massachusetts. Well, I have hardly begun. I would like to go on now, but if any gentleman wants five minutes I will yield it at this time.

MR. BARRETT SAYS "UNMITIGATED FALSEHOOD."

Mr. BARRETT. The gentleman from Massachusetts has agreed to yield me twenty minutes.

Mr. WALKER of Massachusetts. Well, I am very sorry to get into a controversy with the gentleman. I exceedingly—

Mr. BARRETT. The agreement was to let gentlemen have five

minutes, and give twenty minutes to the chairman of the committee.

Mr. WALKER of Massachusetts. I do not want this to come out of my hour.

Mr. BARRETT. I rise to a question of personal privilege.

Mr. WALKER of Massachusetts. Then I do not want that to come out of my time.

Mr. BARRETT. I want to submit a statement here, Mr. Speaker, that on yesterday, after conference with Mr. STONE, that the gentleman from Massachusetts agreed, on condition of my withdrawing my objection, to allow me twenty minutes after he had spoken thirty minutes. I went to the desk and told the Speaker of the House that an arrangement had been entered into, and while I was there the gentleman from Massachusetts came up and said that he had decided not to make an effort to obtain recognition and that the matter of obtaining assent was abandoned. This morning he came to me and stated that he had decided to ask recognition to-day, "And I will allow you twenty minutes after I have consumed thirty."

Now, with that understanding, and no other understanding, I sat in my seat and allowed unanimous consent to be given. The gentleman from Pennsylvania, in a conference, said yesterday that he would not make any agreement whereby time might be given to him, because he refused for a moment to admit that the Committee on Coinage, Weights, and Measures had any concern in the matter. Now, what I have said is an absolute statement of fact. The gentleman knows it, and he knows that only after a conference with him again this morning, and his repeating the statement to that effect, I withdrew my objection to his having an hour.

Mr. HENDERSON. Mr. Speaker, we can settle this controversy. What does the RECORD show?

The SPEAKER. The Chair has sent for it.

Mr. COX. What does the gentleman from Massachusetts want?

Mr. BARRETT. I want my colleague to keep his promise.

Mr. COX. If you Republicans can not keep your promises among yourselves, I do not see how we can help you.

Mr. WALKER of Massachusetts. Does this come out of my time, Mr. Speaker?

The SPEAKER. The gentleman from Massachusetts [Mr. BARRETT] does not claim that there was any statement made in the House in regard to this matter?

Mr. BARRETT. Certainly not; I depended upon the promises made by my colleague.

The SPEAKER. The Chair, of course, can not enforce private agreements.

Mr. BARRETT. I ask the gentleman from Massachusetts if he proposes to keep his promise to me?

Mr. WALKER of Massachusetts. I propose to keep my promise before God and man, as I have always done, but not according to the standard of the gentleman. [Laughter.]

Mr. BARRETT. Does the gentleman deny it?

Mr. WALKER. I do.

Mr. BARRETT. This is the most unmitigated falsehood I ever heard.

The SPEAKER. The gentleman from Massachusetts [Mr. WALKER] has the floor.

Mr. WALKER of Massachusetts. What the gentleman said about our agreement yesterday is true, to the best of my belief. There was considerable talk back and forth on his persistently objecting to my speaking, and I may be in error in saying that it is the truth. I then tried to get the right to publish my remarks in the RECORD. I went to the desk, where the gentleman from Massachusetts [Mr. BARRETT] was in conversation with the Speaker, and I said to him, "Our talk is entirely off, for I am going to get leave to extend my remarks in the RECORD," which I failed to get. This morning I said to him, "I propose to get the right to speak on substantially the same topics I tried to get yesterday, namely, the history of currency reform, and yield twenty minutes for reply;" and then I went to the gentleman from Pennsylvania [Mr. STONE] and several other gentlemen in reference to being interrupted by them if they desired. I am surprised more than any man in the House could be that this question should be brought in by the gentleman from Massachusetts [Mr. BARRETT], as he told me from the first he did not propose to make any reply himself.

THE CAUCUS COMMITTEE OF ELEVEN.

I will not delay the House much longer this morning, as I have the right to extend my remarks in the RECORD. I wish to be notified again, after ten minutes, so that I can yield to others a part of my time and save my last ten minutes to reply to them.

Mr. Speaker, a very peculiar thing has resulted in the attempt on the part of the Republicans of this House to secure a special committee to consider this great question during the vacation.

It is hard to suppress a Roman virtue in a man like the gentle-

man from Ohio [Mr. GROSVENOR]. Listen to the prologue and then we will see the play:

[Washington Post, February 3, 1899.]

A CAUCUS ON FINANCE—STRONG SHOWING FOR MONETARY LEGISLATION IN HOUSE—TO NAME A COMMITTEE OF ELEVEN.

General HENDERSON made a strong speech in support of the plan embodied in his resolution, and pointed out the advantage of having this important subject committed to a body serving both in this Congress and the next, and representing the various sections of the country, and, as far as possible, its diverse business and economic interests.

CANNON IN DOUBTFUL MOOD.

Mr. CANNON said he did not think any financial legislation could be carried through until after the next Presidential election.

Representative PAYNE said it would permit careful consideration of the question during the coming months, and the preparation of such a well-matured plan as would commend itself on all hands.

Resolved, That a committee of eleven members of the present House of Representatives, who are members of the Fifty-sixth Congress, shall be appointed by the chairman of this caucus for the purpose of considering monetary legislation and submitting their recommendations to a Republican caucus at the first session of the Fifty-sixth Congress, with authority to confer with a like committee from the Senate. Adopted.

[Washington Evening Star, February 16, 1899.]

FOR CURRENCY REVISION—REPUBLICAN COMMITTEE SELECTED BY REPRESENTATIVE GROSVENOR.

Representative GROSVENOR of Ohio, chairman of the Republican caucus, has announced the appointment of the following Republicans of the House as members of the committee provided by the resolution of the Republican caucus on currency legislation: Representatives HENDERSON, of Iowa; PAYNE, New York; DALZELL, Pennsylvania; KERR, Ohio; HAWLEY, Texas; LOVERING, Massachusetts; OVERSTREET, Indiana; CURTIS, Kansas; LOUD, California; BABCOCK, Wisconsin, and MORRIS, Minnesota.

It will be observed that no member of the Banking and Currency Committee or the Coinage, Weights, and Measures Committee is put upon this committee. Referring to this fact, Representative GROSVENOR said:

"I made the appointments in that way after full and free conference with most of the members of the committees and with prominent members of the House. It must not be for a moment understood that the omission of members of these committees from the caucus committee was intended to in anywise reflect upon the distinguished gentlemen who compose these two great committees, and, on the contrary, the idea prevailed that inasmuch as any bill or bills which might be agreed upon by the Republican caucus would have to go to one or both of these committees for their final action and report, it would be unwise to ask these gentlemen to make any decision or take sides in any way upon any dispute of policy or detail, and it was deemed wisest and best that the committees should remain wholly independent and noncommittal as to the details of the report, and be free to act independently, with the final judgment of each member uninfluenced and unaffected by the action of the caucus committee. In this way we will ultimately have the opinion of the caucus committee of 11 members of the House and of such committees as the Senate may see fit to provide, and then the deliberate judgment of the proper committee of the House."

Mr. Speaker, so it appears that the caucus believed the committee of eleven was to consider monetary legislation—to permit careful consideration—to present a well-matured plan that would commend itself to all.

"A DANIEL COME TO JUDGMENT."

Now as to how the gentleman [Mr. GROSVENOR] succeeded. "I made the appointment (of the 11) in that way after full and free conference with most of the members of the committee, * * * and it was deemed wisest and best * * * not to take sides in any way on any disputed policy or detail," and much more of the same sort. Verily, "a Daniel come to judgment." Now for the play.

Mr. Speaker, of that committee of eleven that were appointed, 6 of the 11, a majority, have concluded the whole question. Of the 205 Republicans in this House, it is reported by the Monetary Commission that 150 signed a paper requesting the consideration of bill H. R. 10289 to present to the Speaker; 55 signed no paper.

I have been over these papers very carefully, and 57 strongly "pledged their unqualified support" on the floor of the House to the bill H. R. 10289. Now, I believe that there has been some suggestion, some means used, of course honorable, to conclude this question before its consideration is begun, and that it emanates from the very enthusiastic but injudicious members of the Monetary Commission, Mr. Hanna, or men who are operating here for him.

These 6 members of that committee have already pledged their unqualified support to that bill. Curiously enough, out of the whole 93 that requested only "consideration" of that bill, but did not "pledge support," not one is appointed on this committee of eleven. Mr. COOPER of Wisconsin. What committee is the gentleman speaking of?

PLEGDED IN ADVANCE.

Mr. WALKER of Massachusetts. The committee of eleven, which the honorable gentleman from Ohio [Mr. GROSVENOR] appointed to consider the financial-reform question and to settle it during the recess. The question is thus concluded before it is begun. A majority of the 11 are already pledged to support the bill H. R. 10289. They are put on that committee, and not a man is put on out of the 93 Republicans who requested "consideration."

Mr. GROSVENOR rose.

Mr. WALKER of Massachusetts. The gentleman from Ohio had better wait, for I have considerable more to say, and he may as well reply to two or three things at one time.

Mr. GROSVENOR. Oh, no; I shall not.

Mr. WALKER of Massachusetts. Now, upon any doctrine of chances in the selection of these men, is it not conceivable that out of 205, 6 men of 11, from 57 pledged and not one out of 93 unpledged, should have been chosen, without it was by some one who had carefully examined these petitions and had selected these 6 men "because they were pledged," and thus conclude this whole question by a pledge given over their written signature? I want to say with reference to the honorable gentleman from Massachusetts, my colleague [Mr. LOVERING], who is one of the "pledged" men put on the committee, that there is no man in Massachusetts that is considered of higher honor than he, and when he gives his word it is as good as his bond, and when he puts his name to a written promise to do a thing he will do it, and I believe that is true of the other 5 pledged men on the committee.

The honorable gentleman from Ohio [Mr. KERR], the honorable gentleman from Indiana [Mr. OVERSTREET], the honorable gentleman from Kansas [Mr. CURTIS], the honorable gentleman from Wisconsin [Mr. BABCOCK], the honorable gentleman from Minnesota [Mr. MORRIS]. Mr. Hanna can surely rely on the honor of every one of these gentlemen to keep his written pledge to support bill H. R. 10289, with absolute confidence.

SOME ONE WHO "KNEW HIS BUSINESS" SELECTED THE COMMITTEE.

By any doctrine of chance it is not conceivable, I again say, that these men should have been selected as they have been selected unless it was by some man who had carefully examined these petitions. This was not a matter of chance. Some one "knew his business like a book." This thing could not happen by chance once in a million trials.

Again, the names of these six men indicate, if they are leading members of this House, what is occasionally claimed on this floor, viz, that there has been great unfairness upon the part of the Speaker of this House. If this committee was appointed from the leading members of the House, as it was supposed to be, they ought to have held chairmanships of or high places on committees. The average service of these gentlemen in this House is just two terms. The honorable gentleman from Iowa [Mr. HENDERSON] is also understood to be one of the most enthusiastic supporters of H. R. 10289, makes seven.

What becomes of the gentleman from Illinois [Mr. CANNON], as a leading member who has served twenty-four years; of the gentleman from Illinois [Mr. HITT], who has served eighteen years; of the gentleman from Illinois [Mr. HOPKINS], fourteen years; of the gentleman from Ohio [Mr. BURTON], six years; of the gentleman from Minnesota [Mr. TAWNEY], who has served six years? And where is the gentleman from North Carolina [Mr. LINNEY], who has served four years—who ought to be on to represent the South as well as the gentleman from Texas [Mr. HAWLEY]? The total service of these six supposed leaders is seventy-two years and an average of twelve years. Now, that shows that these six gentlemen appointed by the gentleman from Ohio [Mr. GROSVENOR] have been painfully neglected, by the Speaker of this House, for most of them have not been made chairmen nor are near the head of their committees.

What is still more humiliating, they average to be in the sixth position on the committees on which they are placed. After taking the five leading men in the House—the honorable gentleman from New York [Mr. PAYNE], the honorable gentleman from Pennsylvania [Mr. DALZELL], the honorable gentleman from Texas [Mr. HAWLEY], and the honorable gentleman from California [Mr. LOUD]—who average a service of ten years, the pledge to support H. R. 10289 seems to have been an inexorable condition requisite in the other six of the committee of eleven. The difficulty arose because few of the older members in the House are in the habit of pledging themselves to measures they do not fully understand.

What I am trying to say is not that these gentlemen are not the leaders of the House, but that injustice has been done them in the distribution of chairmanships and high places on commit-

tees of this House, as indicated by the honorable gentleman from Ohio [Mr. GROSVENOR]. That is my contention.

Mr. GROSVENOR. Mr. Speaker—

Mr. WALKER of Massachusetts. I yield to the gentleman, but I do not want it to come out of my time, because it is very short.

Mr. GROSVENOR. I will be very brief. Mr. Speaker, I want to say first that I had no knowledge that any one of the eleven gentlemen named either did or did not sign any petition in regard to any bill. Second, I did not ask anyone of all those gentlemen any question as to how he stood upon any bill or any phase of the financial question. Third, no man outside of the members of the House suggested to me the name of any man that I put upon that committee; and fourth, I say that my observation of the committees of this House leads me to believe that there is occasionally a gentleman in the House who is not a chairman of any committee, but who knows as much as the average gentlemen who are chairmen of committees. [Laughter.]

A SAFE METHOD OF APPOINTING REFEREES.

Mr. WALKER of Massachusetts. Now, Mr. Speaker, in reply to that I want to say that my whole contention was, and is now, that the gentleman [Mr. GROSVENOR] did not examine those signatures, but that somebody in interest did. That is sure. There is no man in this House who believes that those men could have been appointed in this peculiar and wonderful manner unless somebody knew how they stood on those petitions. Mr. Speaker, there was once a reference case of a friend of mine. After the referees were appointed, I went to the man who was instrumental in having the case referred and said, "What do you think about the decision? I am afraid it will go against my friend." "Oh," said the man to whom I was talking, "it is well enough when you have a reference to know how men will decide before you select them." [Laughter.] It must have been agreed upon before the caucus was called—it was agreed upon somewhere—who should be members of this committee of eleven. That is just as sure as anything can be that is unproven.

MR. HANNA IS PLEASED.

Mr. Speaker, Mr. H. H. Hanna is "pleased," and that ought to settle it. He probably knew he was going to be pleased. He did not wait until the 16th of February, when the committee was publicly announced, but he was pleased on the 14th, two days before the committee was appointed, and in season to send the following circular letter on that day:

INDIANAPOLIS, February 14, 1899.

DEAR Mr. —: You have undoubtedly seen in the papers the past few days a report of the action of the Republican caucus last week. This action was brought about at request of your committee. * * * It is just and proper to say that the success of this caucus was made possible by the influence of the President and the Speaker of the House and Senator ALDRICH, who is acting chairman of the Finance Committee of the Senate. * * * This step is taken in order to avoid delay incident to discussing and reporting of measures by the regular committees of both Houses in the next session. * * * The truth is, that the step taken is a very great one in the interest of monetary legislation.

The work to this time has, of course, been continuously confronted with barriers that seemed extremely difficult to overcome.

* * * It is now probable that whatever is agreed upon by these committees and recommended to Congress in the next session, will be important features in the direction of laws for which your organization has so earnestly appealed for the past two years.

Congratulating you upon the progress made in the work to this time, * * * and with assurance of personal gratitude and regards of the writer.

Faithfully yours,

H. H. HANNA, Chairman.

"Barriers" is good; "at the request of your committee" is still better, and enjoyed by all of us because it is so complimentary to us.

MR. GROSVENOR'S GIFT OF PROPHECY.

Mr. Speaker, the key to the situation may be found in what the honorable and very distinguished gentleman from Ohio [Mr. GROSVENOR] tells us—that he consulted only members of the House in making up his now famous committee of eleven. This information gives us a clue to learn, "Who am der pusson what put dem cheekins in the ge'man's hat." Nevertheless and notwithstanding, the honorable gentleman seems to have laid a fairly solid foundation upon which to rest his extraordinary gift of prophecy in foretelling what his committee will do.

Mr. Speaker, perhaps Senator ALDRICH and the other members of the Senate Finance Committee will make a part of a great "finance, bank, and currency committee of the two Houses" to approve bill H. R. 10289. On the other hand, perhaps they will wait until the eleven leading members of the House take their rightful places as distinguished Senators before they think it advisable to saddle the Republican party of the country with the

Indianapolis Monetary Commission, the H. H. Hanna lobby, and the bill H. R. 10289. Again, by what authority does Mr. Hanna speak for the President, the Speaker of the House, or for Senator ALDRICH? They have the same means of making their views known to the public as has Mr. Hanna. I can not believe they are responsible for the report of them that Mr. Hanna makes. I fear his enthusiasm has again outstripped his discretion.

Another thing: I was told that the reason why I was not called into the Speaker's room and consulted as to what was best for the party and best to be done for the country under the circumstances was, that I was not elected to the Fifty-sixth Congress. Was Mr. H. H. Hanna who was called in elected to the Fifty-sixth Congress? Is he even a member of the present Congress. I have never seen his name on the roll. Is he a sure member of the Fifty-sixth Congress?

Mr. SULZER. He could not be elected on his—

HIGH REGARD FOR MR. HANNA.

Mr. WALKER of Massachusetts. I am told that Mr. Hanna was urged to come here as Congressman by the unanimous sentiment of the Republicans of his district, but he could not thus sacrifice this great reform; that he was also wanted for Senator, but that his position as a monetary reformer would have been compromised if he had accepted. But I am grieved to notice that his candidate, Judge Taylor, was not elected Senator from Indiana, for he seemed to me a very able man. I say, in all frankness, that from what I have seen of Mr. Hanna, I believe he is sufficiently interested in this reform to refuse a seat on this floor or in the Senate to secure it. I am saying this because I believe it.

I have the highest regard for Mr. Hanna, as I have for Mr. Guthridge, but I have observed the mistaken way they have lobbied this House, taking men by the buttonhole and begging and pleading with them to support a bill neither the member nor themselves understood. I spent a month of solid time trying to understand this bill H. R. 10289, at least six hours a day, and there were four questions I could not myself solve. After my study of the bill I wrote to the authors of it the following letters, and not one of them attempted to meet the challenge. I say to this House, and especially those gentlemen clamoring for reform, as to my minority report No. 1575 and as to the speech I made on February 14, that I challenged any man living anywhere to successfully controvert a single statement of fact or a single argument therein submitted. I have issued this challenge to members of the committee in the letters quoted and to all who are interested in bill H. R. 10289, and not one of them has accepted the challenge. Yet they vote for a bill of which it may be said that a large part of their facts they use are derived from canvas-back and terrapin and their arguments from champagne, and the result of their bill if enacted would be to continue the robbery of the farming sections of our country. This is my statement of it to this House and the country.

Mr. HILL. I remember the gentleman having written a letter—

Mr. WALKER of Massachusetts. Let me finish this statement. I will put in the letter. The gentleman from Connecticut [Mr. HILL] replied he was just starting for Porto Rico and that he would attend to the matter when he got back, I believe, but he probably has never "gotten back" officially.

Mr. HILL. The point I wanted to get at was this—that at the time the gentleman wrote that letter he included in it the statement that we ought all to fully understand the measure, so that we might fairly consider it when it came up for discussion in the House. Is not that correct?

Mr. WALKER of Massachusetts. Why, yes; the honorable gentleman from Minnesota [Mr. McCLEARY] had not then withdrawn the bill. I said—

Mr. HILL. Just let me proceed for an instant. I want to put in with the statement the gentleman has made that in twenty-four hours after that the bill was reported, although all knew that it was an illegitimate proposition, an impractical and improper report, and would not be considered by the House. Now, will the gentleman reconcile these statements?

Mr. WALKER of Massachusetts. The gentleman's statement is entitled to credit, as all statements made by him are undoubtedly accurate as he sees them—

Mr. HILL (interrupting). I will modify it and ask the gentleman to explain the discrepancy in his own statement.

Mr. WALKER of Massachusetts (continuing). And yet the gentleman from Connecticut is so constituted that everything that comes into his imagination is verity and he is willing to swear to it as the truth. [Laughter.]

Mr. HILL. Well, my imagination does not demand that I shall verify or even try to reconcile the statements of the gentleman from Massachusetts. [Laughter.] I ask him now to reconcile the statement he makes and the improper reporting of the bill.

Mr. WALKER of Massachusetts. The gentleman is a little confused. I have said nothing needing "to be reconciled." Mr. Speaker, how much time have I?

The SPEAKER. The gentleman has occupied ten minutes,

Mr. WALKER of Massachusetts. I yield five minutes to the gentleman from Connecticut [Mr. HILL.]

Mr. HILL. I do not care to use the time.

Mr. WALKER of Massachusetts. Mr. Speaker, I will now put in the letters sent to each of the six who favored H. R. 10289.

LETTERS WRITTEN TO MEMBERS OF THE COMMITTEE ON BANKING AND CURRENCY.

NEW HAMPTON, N. H., September 1, 1898.

MY DEAR SIR: I am employing my vacation in preparation for the discussion in the House of H. R. 10289. I am trying to make a very exhaustive analysis of the various propositions that have been submitted to our committee that are liable to come up in the House.

Nothing can be gained by any of us in failure to do justice to each one of the propositions, or in finding ourselves in error as to any provision in any of the bills.

We are associated together to assist each other in thoroughly understanding the propositions submitted to us, not only in order to decide upon which is best, but to be able to enlighten the House in the discussion as well.

I think I understand all the propositions in bill H. R. 10289 excepting as to a few items, as follows:

Page 8, lines 1 to 7: Under what sections and lines can United States notes and Treasury notes accumulate in the department of issue and redemption?

Page 5, lines 3 to 7: Under what sections and lines are such notes to get into the department of issue and redemption in order to be exchanged for gold then in the general Treasury?

Page 6, lines 24 and 25, and page 7, lines 1 to 7: What amount of United States notes and Treasury notes can be canceled under section 8 or any other section, provided all the existing national banks take out the full amount of reserve notes required and no more?

Page 15, lines 9 to 18: What amount of United States notes will have been canceled and destroyed (or the probable amount), as herein provided, when no more of such notes are available as a basis for the issue of circulating notes?

Page 16, lines 1 to 8: What funds are to be used for the withdrawal of reserve notes, and how do they get into the department of issue and redemption?

Your full and frank replies, from your familiarity with the bill, will save me a great deal of work.

I am, very truly, yours,

J. H. WALKER, Chairman.

WORCESTER, MASS., November 10, 1898.

DEAR SIR: I send you to-day three papers that I hope will receive your most thorough and critical study. I went upon the Committee on Banking and Currency ten years ago by no solicitation of mine. I had no pet theory to force on the committee. I proposed no bill until requested to do so by the chairman, and after Hon. John Sherman not only had declined to prepare a bill and introduce it in the Senate, but had expressed to me a belief that the national system of banking must disappear as the United States bonds were paid off. I had made the subject a special study for many years. Since then I have given nearly my whole attention to it for ten years.

The bill I first drew, it has been my constant study to improve into the best possible form and substance to express the experience of the world in banking and to meet the habits, prejudices, and demands of our own people. I believe my investigations have been more in amount and thoroughness than those of all other men in the country put together.

Either I am right or my errors of fact and conclusions can be readily shown. I have yet seen no evidence that any other member of the committee has made a careful study of the effect of his own bill or any other bill before the committee, by "trying it on" to the present banks that have been in operation more than thirty years.

Several members of the committee do not think anything needs to be done but to—

First. Reduce the tax on currency one-half.

Second. Allow currency to be issued to the par of bonds.

Third. Allow banks of \$25,000 capital in small places.

Such members are excused from investigating my general bill. Not so with others. I hope you will take the time and do the work necessary to present to the committee as thorough and careful an exhibit of the two bills, H. R. 10333 and H. R. 10289, as you see them, as I have done to you, if you favor any general bill.

Very truly, yours,

J. H. WALKER, Chairman.

MR. HILL'S BILL BEFORE THE COMMITTEE ON COINAGE.

Mr. Speaker, I have several quite striking instances of the vivid imagination of the honorable gentleman from Connecticut [Mr.

HILL]. I will, however, give only one exhibit, and that from the hearings before the Committee on Coinage, Weights, and Measures. The honorable gentleman introduced in the House, on January 5, 1899, a bill clearly belonging to the Committee on Banking and Currency, as it was all copied from bills before that committee, except two or three comparatively unimportant sections. He had no compunctions of conscience in having it referred to the Committee on Coinage, Weights, and Measures, of which he is also a very distinguished member. He verily believed at the time he was doing God's service in so framing its title as to carry it to the Committee on Coinage, Weights, and Measures unless it was read in full by the Speaker, which everyone knows he never does unless requested to do so.

Scarcely any member of our committee knew the character of the bill, if there was one, until they saw in the papers the testimony of Secretary Gage upon it. None of the Committee on Banking and Currency supposed the Committee on Coinage, Weights, and Measures would act on such a bill belonging, as it did, to the Committee on Banking and Currency, and therefore did not call the attention of the House to the error of reference. In fact, nearly all of them were entirely willing that the honorable gentleman from Connecticut should transfer the field of his peculiar labors from our committee to that on Coinage, Weights, and Measures. When, however, the report of the hearings on the bill was published, and especially after talking with several members of that committee, all was made plain. The favorable report from the Coinage, Weights, and Measures Committee on that bill, H. R. 11411, was made on three grounds. The first and conclusive reason to fully justify the committee in its seeming discourtesy to the Committee on Banking and Currency was furnished by the honorable gentleman from Connecticut, Mr. HILL, as follows:

FROM THE REPORT OF HEARING BEFORE COMMITTEE ON COINAGE, ETC.,
JANUARY 12, 1899.

"Mr. HILL. Mr. Chairman, my reason for introducing the bill was that several of these measures covering this bill were found in the monetary-commission bill that came before the Committee on Banking and Currency, and it was ruled there, that they were properly matters for the Coinage Committee and not for that committee. I have therefore formulated them very nearly as they were in the monetary-commission bill. * * * At a later time in the hearing I will be glad to give my reasons for introducing the bill at all."

Mr. Speaker, there is not the slightest foundation in fact for this statement. Not only was there no such "ruling" by the chairman of the Committee on Banking and Currency, but there was no such objection. The question was never raised. The chairman did remark with reference to the Gage bill that it contained some matter that, taken by itself alone, would properly go to the Committee on Ways and Means. It is impossible that the gentleman from Connecticut should "therefore formulate" the bill. Every one of the provisions copied from the bills before our committee by the honorable gentleman from Connecticut was carefully and most exhaustively considered by our committee, Mr. HILL being very decidedly in evidence on such occasions. The first reason to justify the honorable and distinguished gentleman from Connecticut therefore falls without argument or further statement.

The second reason was "to carry out the pledges made in the St. Louis Republican platform in 1896," and this also has no justification in fact.

REPUBLICAN PLATFORM OF 1896.

The platform of the Republican convention at St. Louis, passed June 18, 1896, reads:

"We are opposed to the free coinage of silver excepting by international agreement with the leading nations of the world, which we pledge ourselves to promote, and until such agreement can be obtained the existing gold standard must be preserved."

The Republican party can not afford to have such measures as H. R. 11411 or H. R. 10289 forced on it. They are not Republican measures in that they would retire and destroy the United States legal-tender notes.

The following shows the folly of it at this time, even if it were desirable at any time:

[New York Financial Chronicle, January 28, 1899.]

"We have already once tried an experiment of the kind the Coinage Committee's bill proposes—that is, of supplying by bank issues the want for currency when contracting the legal tenders—and failed disastrously. Why should we be so forgetful or so venturesome as to assume we shall be any more successful now?"

"To supply the place the legal-tender notes had filled Congress then, as now, depended upon the national-bank notes. It was at that time as safe a reliance as it ever could be, for the law had been changed so that the State banks were tumbling over one another to get into the system, and taking out notes was very profitable."

How the arrangements for substituting bank notes for legal tenders worked at that time is quickly told. In October, 1865, (the last bank return before the above resolution was passed by Congress) the national-bank notes outstanding were \$171,321,903. In January, 1866, the amount was \$213,239,530. In January, 1868, the amount outstanding was \$394,377,300. These figures show a much larger addition to bank notes concurrently with the withdrawal of legal tenders than is contemplated by the bill the present Coinage Committee has proposed. The provision now made is only one bank-note dollar for each legal-tender dollar of those canceled, and none to fill the place of those retained in the Treasury uncanceled; whereas, from October, 1865, to January, 1868, the additions to bank currency were \$123,000,000.

Moreover, previous to October, 1865, the new bank-note issues had been very rapid, for in January, 1865, there were only \$66,750,000 of bank notes outstanding, showing an enlargement of the volume of the bank notes afloat of \$227,500,000 in the three years. And yet in January, 1868, the sentiment of the people had changed so absolutely through the canceling of \$70,000,000 of legal-tender notes that the cry went up to Congress from all over the country to stop that contraction, and stop it Congress did. In January, 1868, a law was passed declaring that on and after that date the authority given the Secretary to reduce the currency "by retiring or canceling United States notes" was suspended.

That is the history of a very desirable but badly managed movement. It began with the country full of enthusiasm for it, and ended in the short space of about two years with the people thoroughly disgusted at currency reform and with the effort for its attainment begun so auspiciously an absolute failure. What we want to guard against most of all now is a similar waste of our opportunity. It is a rare chance we have. Shall we show ourselves capable of taking advantage of it?

NOT A REPUBLICAN BILL.

Second. It is not a Republican measure, in that it violates the pledge of making an effort to secure international bimetalism; in that it distinctly, needlessly, and offensively puts up a "gold reserve" to redeem existing silver dollars, thus practically demonetizing them.

Third. It is not a Republican measure, in that it proposes to allow banks to circulate paper money, which is not "guaranteed by the United States Government."

Fourth. It is not a Republican measure, in that it proposes to make purely bank notes a legal tender; and

Fifth. It is not a Republican measure, because it proposes to force on the Treasury of the United States an unwieldy, double-headed treasury system after the similitude of the Bank of England system, where it is a failure in every panic.

BASTARD BANKING MEASURES.

Those bills are bastard banking measures. They have no pride of ancestry, in that they are not justified by the banking system of any country in the world, and we could have no pride in their progeny which will be panic and disaster. The bills are alien to sound economic principles, and alien to true banking principles. In every one of these particulars they, in essence, if not in letter, violate the St. Louis platform.

Another curious thing attracts our attention. Like the committee of 11 appointed by the honorable gentleman from Ohio [Mr. GROSVENOR], the Committee on Coinage, Weights, and Measures had practically decided the question before the bill was sent to them. Six out of the ten Republicans on that committee had given their pledge in writing, over their own signatures, that they would support bill H. R. 10289, and the other four had signed the other petition to the Speaker, "requesting consideration" of the bill, and thus indicated they were favorable to it.

The third reason for favorably reporting the bill is a very noble one, and committees in the House should always be encouraged in observing it, namely, to show the House that the ten Republicans on the Coinage, Weights, and Measures Committee were sufficiently broad-minded and accommodating to agree on a bill even if they did not understand it, and could not intelligently defend a provision of it on the floor. "What's a little matter like the Constitution between friends," or truth even?

THE BANKING LAWS OF ENGLAND AND GERMANY.

As to the unwisdom of trying to graft the Bank of England system on to the United States Treasury instead of that of France or Germany, I wish to present the following from the Chicago Banker and Financial Journal of January, 1899:

"The financial world has been much interested and highly gratified at the comparative ease with which Germany passed through its recent money crisis. The facts as presented bear emphatic testimony to the excellence of the German banking law.

"Under this law the imperial bank is able to issue notes to any amount for which there may be a public necessity. In the marvellous industrial activity which has prevailed in the fatherland

there is little doubt that speculative enterprise had been carried altogether beyond conservative lines. German banks had given altogether too much indulgence to speculators, promoters, and others, without approved securities. In this way a very serious condition of the money market came about, and Germany became indebted in very large sums to both Paris and London. Had it not been for the elastic currency provision in the Imperial banking law a panic would doubtless have ensued. The record to the present time, however, shows not a single important failure.

"In London, no matter how grave the situation nor how urgent the public demand for money may be, the Bank of England can not issue notes beyond the amount of its authorized issue and the gold it holds, unless by the kind permission of the ministry to break the law. In Germany the Imperial bank can issue notes beyond the gold actually held and the authorized issue to any amount that may be required, always provided that it pays the Government 5 per cent upon the excess issue. The way in which this system has worked ever since it has come into existence is worthy of the serious attention of our most ardent currency reformers.

"Before our whole banking system is overhauled, as it seems likely to be, the authors of the different plans could not do better than to study the workings of the German banking law in the recent severe credit stringency.

"Last year large sums of money were loaned in Berlin by New York and Chicago banks through the familiar operation of sterling investments. Germany has been meeting the situation in part by selling her American stocks in this market, thus influencing exchange prices sufficiently to prevent a further drain."

BANK OF ENGLAND.

Also extracts from the Bankers' Magazine and Statistical Register, volume 45, February, 1891.

Article on "The London Crisis of November, 1890," page 595:

"We know finally that the legislation of 1844 restricts the expansion of the Bank of England's notes, and paralyzes it at critical times."

Page 600:

"On Tuesday, November 12, 1890, the Bank of England's broker was able to rush to the stock exchange, where a panic was coming on, and announce the speedy arrival of \$7,500,000 in gold from Paris. In reality the advance agreed upon, as is known, by the Bank of France at 3 per cent, and renewable during several quarters on the security of English treasury bonds, is \$15,000,000."

Page 600:

"The chancellor of the exchequer offered to the governor of the bank, if the latter made a formal request, to authorize him to violate the act of 1844, and that Mr. Lidderdale declined to have recourse to such exceptional means."

Page 603:

"The raising of the discount rate attracted gold, or on account of the profitable rate at which capital could be used, or because the bankers of the Continent wanted to strengthen their position with their correspondents."

And also the following extracts from the Bankers' Magazine, London, June and July, 1891, page 79:

GUARANTEE FUND "BOND."

"BANK OF ENGLAND, November, 1890.

"In consideration of advances which the Bank of England have agreed to make to Messrs. Baring Bros. & Co., to enable them to discharge at maturity their liabilities existing on the night of the 15th of November, 1890, or arising out of business initiated on or prior to the 15th of November, 1890,

"We, the undersigned, hereby agree, each individual, firm, or company for himself or themselves alone, and to the amount only set opposite to his or their names respectively, to make good to the Bank of England any loss which may appear whenever the Bank of England shall determine that the final liquidation of the liabilities of Messrs. Baring Bros. & Co. has been completed, so far as in the opinion of the governors is practicable.

"All the guarantors shall contribute ratably, and no one individual, firm, or company shall be called on for his or their contribution without the like call being made on the others.

"The maximum period over which the liquidation may extend is three years, commencing the 15th of November, 1890."

PANIC OF 1893.

Mr. Speaker, our panic of 1893 lasted only sixty-three days. On June 16, 1893, money was worth 9.3 per cent; June 29, discounts 734 per cent; average week ending June 30 it was 27.9 per cent; October 20, 1893, it was worth 14 per cent.

By referring to Table A and Table B it will be seen that the Imperial Bank of Germany in the industrial crisis of 1898 increased its currency in circulation by \$48,000,000, while the Bank of England decreased its currency in the Baring Brothers crisis in 1890 by \$5,000,000. No panic in Germany. A fearful panic in England.

The Bank of England was compelled in that crisis to borrow \$7,500,000 in gold from the Bank of France, with the option of as much more. Not only this, but the Bank of England was practically forced to (because it could not issue currency) assume \$100,000,000 of the Baring Brothers' obligations in order to alleviate the financial distress in England, while the Imperial German Bank only had to increase its issue of currency, as I have said, of about \$50,000,000 of notes to relieve the German situation. Furthermore, it will be seen in the above quotations that the English bank act would surely have been "suspended" in order that the bank might issue even up to \$100,000,000 of additional circulating notes if necessary had this gold not been borrowed from the Bank of France, or had not the bank assumed the \$100,000,000 of the debts of Baring Brothers instead. Is the Republican party of this country ready to adopt a bank system that would tend to compel the Treasury of the United States, in conjunction with the banks, to any such action?

TABLE A.—Analysis of a part of the returns of the Imperial Bank of Germany.
[London Economist and New York Financial Chronicle.]

Year.	Coin and bullion.	Gold.	Silver.	Circulation.	Discount rate on commuted paper.	
					Berlin.	New York.
1898.					Per ct.	Per ct.
Jan. 15.....	\$206,451,530	\$154,638,648	\$51,612,882	\$900,039,191	5	34
Feb. 15.....	225,282,215	169,036,651	56,345,554	257,082,596	34	4
Mar. 15.....	233,538,469	175,153,852	58,384,617	248,473,757	3	5
Apr. 15.....	210,573,455	157,960,701	52,643,364	295,381,957	4	54
May 15.....	208,638,009	156,028,507	52,009,502	274,733,391	4	54
June 15.....	212,155,068	159,116,301	53,038,767	255,895,170	4	34
July 15.....	196,776,928	147,582,696	49,194,232	308,025,118	4	4
Aug. 15.....	208,490,593	156,367,945	52,122,648	267,730,229	4	34
Sept. 15.....	209,055,107	156,791,330	52,263,777	258,805,337	4	44
Oct. 15.....	176,083,149	132,572,362	44,512,362	314,774,953	4	5
Nov. 15.....	177,461,789	133,096,342	44,365,447	288,573,717	4	54
Dec. 15.....	192,577,138	144,432,854	48,144,284	271,789,158	6	34
1899.						
Jan. 15.....	189,754,568	142,315,926	47,438,642	304,355,777	6	34

* Gold and silver is not divided by the statistical bureau, but averages about one-quarter to one-third silver to two-thirds to three-quarters gold.

TABLE B.—Analysis of Bank of England returns.
[Bankers' Magazine, London, 1891.]

Year.	Gold in issue department.	Notes in circulation.	Percentage of reserve to liabilities.	Rate of discount.
1890.				Per cent.
July 2.....	\$97,741,706	\$124,611,068	35	4
August 6.....	15,241,663	124,806,332	37	5
September 3.....	105,347,875	121,270,698	45	4
October 1.....	93,074,757	123,656,427	33	5
November 5.....	90,401,218	120,630,826	35	5
November 12.....	87,877,213	119,144,938	33	6
December 3.....	115,642,785	120,071,325	45	5
1891.				
January 7.....	113,645,598	121,965,269	40	4
February 4.....	118,524,337	118,397,954	46	34
March 4.....	107,577,851	117,832,759	26	34
April 1.....	104,116,140	121,048,445	33	34
May 6.....	95,965,190	121,787,618	33	4
June 3.....	122,388,752	121,764,097	44	4
July 1.....	132,785,129	128,811,340	43	24

NO MIDDLE GROUND.

Mr. Speaker, we must not forget that there is no middle ground. Either a great National bank, with 6,000 to 20,000 branches, which is the most scientific, or a quasi union of all the 6,000 to 20,000 independent banks, only touching each other through clearing houses, which is more democratic and a thousandfold safer. The Walker bill is the latter.

RATES OF INTEREST.

Mr. Speaker, I wish now to call the attention of the House to Tables E, showing the disparity in the rates of discount between different cities in this country, to say nothing of the farming districts and the cities in the same States. It will be seen that while the average rate of discount on good commercial paper in New York during the year 1897 averaged 4 per cent, it averaged 8 per cent at St. Joseph, Mo., 10 per cent in Portland, Oreg., and 12 per cent in Denver, Colo. This unnecessary and cruel hardship it is proposed to perpetuate for four years, eight years, ten years, or forever, in the bills H. R. 11411 and H. R. 10289 which the Republican party is expected to make "party measures."

TABLE E.—Average rate of discount in forty-three cities of the United States, for the years 1893-1897, and for the five years, not including days of panic, as reported weekly in "Bradstreet's."

Place.	Borrowers of the highest credit— Lower rates—Per cent on commercial paper.					
	1893-7.	1893.	1894.	1895.	1896.	1897.
Boston.....	3.83	5.27	2.76	3.19	4.92	2.99
New York.....	4.41	6.73	2.90	3.55	5.40	3.46
Baltimore.....	4.55	6.11	4.62	4	4	4.00
Hartford.....	4.60	6.09	3.43	4.06	5.72	3.70
Philadelphia.....	4.64	6.15	3.46	4.31	5.57	3.29
Providence.....	4.98	6.12	3.81	4.05	6.07	4.24
Cincinnati.....	5.01	5.88	4.00	4.83	5.61	4.23
Chicago.....	5.74	6.49	5.24	5.33	6.54	5.08
Pittsburg.....	5.83	5.94	5.28	5.90	6	6
New Orleans.....	5.85	7.01	4.98	4.70	6.50	6
St. Louis.....	5.90	6.65	5.38	5.25	6.23	6
Portland, Me.....	6	6	6	6	6	6
Richmond, Va.....	6	6	6	6	6	6
Buffalo.....	6.00	6.11	6	6	6	5.92
Memphis.....	6.10	7.48	5.98	5.38	6.25	5.42
San Francisco.....	6.21	7.11	5.90	5.94	6	6
Milwaukee.....	6.27	6.98	6.11	6	6.28	6
Indianapolis.....	6.36	7.15	6.09	6	6	6
Cleveland.....	6.37	7	6.88	6	6	6
Detroit.....	6.41	7	6.23	6	6.84	6
St. Paul.....	6.60	7.61	7.69	6	6.84	5.38
Nashville.....	6.67	8	7.65	6.96	6	5.75
Louisville.....	6.82	7.03	6.40	6.78	6.94	6
Minneapolis.....	6.90	7.57	6.98	6.50	7.21	6.25
Kansas City.....	6.91	6.90	6.26	6.53	6	6.84
St. Joseph.....	6.96	6.84	7	7	7	7
Charleston.....	7.02	7.13	7	7	7	7
Los Angeles.....	7.05	7.28	7	7	7	7
Duluth.....	7.25	7.96	7.01	7	7.38	6.90
Galveston.....	7.31	7.01	7	7	7.53	8
Mobile.....	7.95	7.78	8	8	8	8
Omaha.....	7.98	8	8	8	8	7.90
Savannah.....	7.99	8	8	8	8	7.96
Atlanta.....	8	8	8	8	8	8
Birmingham.....	8	8	8	8	8	8
Houston.....	8	8	8	8	8	8
Portland, Oreg.....	8	8	8	8	8	8
Salt Lake City.....	8	8	8	8	8	8
Little Rock.....	8.01	8.07	8	8	8	8
Dallas.....	8.34	8.78	7.57	8.42	8.92	8
Tacoma.....	9.27	10	9.36	9	9	9
Seattle.....	9.96	10	10	10	10	9.84
Denver.....	10	10	10	10	10	10

Place.	Borrowers of average credit—Higher rates—Per cent on commercial paper.					
	1893-7.	1893.	1894.	1895.	1896.	1897.
Boston.....	5.05	6.60	3.77	4.84	6.29	4.03
New York.....	5.39	8.72	3.65	4.24	6.17	4
Baltimore.....	5.16	6.63	5.23	4.83	4.50	4.64
Hartford.....	5.41	7.16	4.39	4.61	6.67	4.27
Philadelphia.....	6.01	7.01	5.31	5.56	6.27	8.88
Providence.....	5.73	6.89	4.93	5.25	6.82	4.96
Cincinnati.....	5.87	6.96	5.44	5.61	6.17	5.17
Chicago.....	6.53	7.19	6.25	6.24	6.93	6.07
Pittsburg.....	6.49	6.46	6	6.01	7	7
New Orleans.....	7.05	7.61	6.34	6.65	7.78	6.88
St. Louis.....	7.23	7.74	7.01	6.96	7.44	7
Portland, Me.....	6	6	6	6	6	6
Richmond, Va.....	6.4	7	7	6	6	6
Buffalo.....	7.00	7.78	7.65	7	7.94	7.92
Memphis.....	7.85	8.03	7.96	7.86	7	7.42
San Francisco.....	6.90	8.48	6.78	6.32	6	6
Milwaukee.....	7.02	7	6.98	7	7.15	7
Indianapolis.....	8	8	8	8	8	8
Cleveland.....	7	7	7	7	7	7
Detroit.....	6.67	7.19	7.23	6.00	6.84	6
St. Paul.....	7.41	8	7.60	6.32	7.69	7.38
Nashville.....	7.70	8	8	8	8	6.53
Louisville.....	7.05	7.07	7.23	7	6.96	7
Minneapolis.....	7.80	8	7.83	7.84	7.96	7.40
Kansas City.....	8.38	8	8	7.86	9.57	8.48
St. Joseph.....	7.96	7.84	8	8	8	8
Charleston.....	7.95	7.84	8	8	8	8
Los Angeles.....	9.05	9.28	9	9	9	9
Duluth.....	8.23	9	7.88	8	8.26	8
Galveston.....	8	8	8	8	8	8
Mobile.....	8	8	8	8	8	8
Omaha.....	9.69	8.65	10	10	10	9.80
Savannah.....	9.75	8.80	10	10	10	9.96
Atlanta.....	8	3.03	8	8	8	8
Birmingham.....	9.86	9.46	10	10	10	9.83
Houston.....	8	8	8	8	8	8
Portland, Oreg.....	10	10	10	10	10	10
Salt Lake City.....	10	10	10	10	10	10
Little Rock.....	9.69	9.88	9.84	10	10	8.73
Dallas.....	9.90	10.38	9.15	10	10	10
Tacoma.....	11.13	11.69	11	11	11	11
Seattle.....	11.95	12	12	12	12	11.84
Denver.....	11.67	10.38	12	12	12	12

Interest rates are much higher in strictly country districts of the States in which the above cities are located.

FOUR SOUND PRINCIPLES.

By the adoption into law of the four principles I have insisted upon, for the last ten years, and propose to insist upon with all the power I have while I have any influence in public affairs, in office or out—namely, to relieve the Treasury from maintaining parity, to compel the banks to maintain parity, to cease to rob the people of the capital they wish to use in banking by compelling them to buy bonds to engage in banking, and to restore to the people their natural rights by allowing them to use their own notes as money in the bills of the banks they own—will equalize rates of discount all over the country. The people were robbed of this right in the enactment of the 10 per cent tax on State bank currency in 1864 for a patriotic reason. It must now be restored in a sound national system. Then rates of discount would surely be very nearly the same all over this country, as they are absolutely the same now in Scotland and in France, and very nearly the same all over Germany and in Canada.

THE BOND ISSUE OF 1898.

Again, Mr. Speaker, it will be seen by Table D, what I said in the House while we were discussing the revenue measure of 1898 is true. More than \$9,000,000 were absolutely wasted in the sale of the 3 per cent ten-twentieths of 1898. I was treated with scant courtesy when I said in the House, when that measure was being discussed, that it would lose the country from \$20,000,000 to \$50,000,000; that upon the price our bonds sold for during 1889 the saving on that \$200,000,000 sold, as the table and footnotes show, would be \$30,000,000. Upon the basis of what our bonds sold for in the three years, 1887, 1888, and 1889 the loss was \$22,000,000, and covering the whole eight years ending 1892 at the price our bonds sold for the loss was \$18,000,000, and at the price the identical 3 per cent ten-twentieths of 1898 in January, 1899, the loss was \$16,000,000, as I have said. But what I then said has already come true. The Secretary of the Treasury was forced by the unwisdom of Congress to sell those bonds on the market at their face value and without the slightest justification. This is not a question of "foresight" and "hindsight." Every man of the slightest financial experience knew it then as surely as he knows it now.

TABLE D.—Receipts, etc., in United States 3 per cent 10-20 bonds of 1898.

Awards in—	Amount.	Market price.	Market value.	Treasury moneys deposited in national banks.	Free moneys in Treasury, including deposits in national banks.	Free moneys in Treasury less that deposited in banks.
1898.						
June.....	\$26,514,837	* 104	\$27,575,430	\$28,239,359	\$196,754,815	\$167,575,456
July.....	74,870,043	* 104	77,861,844	38,795,631	205,657,571	166,861,940
Aug.....	57,623,104	105	60,504,259	58,266,108	254,844,215	196,578,107
Sept.....	27,956,135	105.4	29,465,756	65,968,467	294,487,063	228,578,618
Oct.....	8,704,897	105.6	9,192,371	80,888,712	307,557,504	228,668,792
Nov.....	2,470,284	105.5	2,606,149	95,014,909	300,228,275	205,223,806
Dec.....	959,293	107	1,036,407	94,641,001	202,376,790	197,735,789
1899.						
Jan.....	249,896	108	269,884	94,860,916	294,764,605	199,903,779
Total.....	199,348,450	.....	208,505,100	.....	.....	.....

* Estimated.

† On the last day of the month.

Appreciation of bonds, \$9,156,644.

On January 31, 1899, United States 10-20 year 3 per cent bonds of 1898 to yield 2.543 per cent must sell for 108, to yield 2.46 per cent must sell for 109, to yield 2.29 per cent must sell for 111½, to yield 2 per cent must sell for 116 to yield 2½ per cent must sell for 107½.

There is no justification in selling bonds for a less price than they are worth on the market under the plea of a "popular loan." There can be no such thing as a popular loan in this country, as it is understood in France. Our people do not keep their savings on their persons, in their houses, or bury them in pots in their gardens. It is believed that not more than 5 per cent of the \$200,000,000 loan of 1898 is owned by persons who have property to the value of \$10,000 or less. There is very nearly \$50,000,000 of that loan already in the Treasury, either as security for Treasury money deposited in banks or for circulating notes taken out by banks. I insert the following slip from the Worcester, Mass., Evening Gazette, of August 6, 1898:

"HOW THE WAR BONDS WERE SUBSCRIBED FOR."

"The Citizens' National Bank has received most of its subscription of \$66,000 in Government war bonds, and has the assurance that the small balance will arrive in a short time. The bonds are all of the denomination of \$500, and were subscribed for by 132 friends of the bank, each in his own name and under his own address. The bank sent the money for the lot by a single New York check, which was made possible from the fact that the institution was one of those designated by the Government for receiving subscriptions.

"The subscribers signed an agreement to hand over to the bank

the bonds as soon as received, and already the great part of the precious papers are deposited in the vaults of the bank. The Quinsigamond National Bank expects to receive \$10,000 in \$500 bonds, procured in much the same way as were those of the Citizens' Bank. Word of the acceptance of the bid has already arrived. As the profit on these bonds is already \$5, the investment is a good one. Other banks subscribed for the bonds in larger amounts, and consequently do not expect to be successful in getting them, as the issue will be consumed in bonds of the small denominations."

THE PEOPLE ROBBED.

Mr. Speaker, what is true of that loan which that bank took is true of nearly every dollar of that loan. It is not held in banks, but by bank officers and their friends. It is too gilt-edged at the price they paid for it to be put in public institutions for the interest of stockholders. It is held by private persons, by the bankers of this country, or by the banks themselves to an amount of at least \$190,000,000 of the total \$200,000,000, and yet the law still stands. If the Secretary of the Treasury is obliged to sell \$200,000,000 more bonds he will be obliged to waste from \$15,000,000 to \$30,000,000 more. The Republicans who are responsible for such foolish legislation have the task before them of making the people believe from the stump that that law is the very acme of sound Republican financial wisdom. They are also to bring this wisdom to the indorsement of the bill H. R. 10289 and of the doings of the Indianapolis Monetary Commission lobby.

I yield five minutes to the gentleman from Indiana [Mr. JOHNSON].

Mr. JOHNSON of Indiana. I desire to occupy the time only for the purpose of asking the gentleman a question. He was talking a bit ago of a committee composed of the members of this House to take into consideration the currency question and devise a system of banking and currency to be presented for the legislation of this House. Now, do you expect that the next Congress, on the eve of the next general election, is going to pass any banking and currency legislation at all? For my part I do not.

POLITICAL DYNAMITE IN CURRENCY LEGISLATION.

Mr. WALKER of Massachusetts. Neither do I. It would result in the certain defeat of the Republican party if it did. There is more dynamite to the square inch in anything connected with the United States Treasury and our banking and currency system than in any other subject that can be presented for legislation. The people who would be benefited by the legislation to which the gentleman refers are now fooling with unlimited coinage of silver, and if you attack this question at all just before instead of just after election it is certain to swamp the party. The Speaker of the House knows that that has been my opinion from the first. I was interested in having the committee educated now up to deciding on what should be done at the proper time—on what shall be done in the future, when we are in a position where it will be possible for us to do anything. December, 1896, is not December, 1899.

Mr. Speaker, I believe I have but five minutes remaining.

Mr. COX. Will the chairman of the Committee on Banking and Currency yield now for one question?

Mr. WALKER of Massachusetts. I will not yield under any circumstances to the gentleman from Tennessee [Mr. Cox], for I have not the time.

The SPEAKER. The gentleman from Massachusetts declines to yield.

THE CHAIRMAN'S DIFFICULTIES ILLUSTRATED ON THE SPOT.

Mr. WALKER of Massachusetts. Mr. Speaker, I want to call the attention of the House to the difficulties the chairman of the Committee on Banking and Currency has labored under in the committee, as illustrated by what is taking place here and now.

With reference to the treatment of the President's recommendations, the gentleman from Connecticut [Mr. HILL], and the gentleman from Indiana [Mr. JOHNSON], on the floor of this House, labored indefatigably to defeat one of the most specific pledges given by the party at St. Louis, doing all they could against them here and in committee. The pledge had been given that the Republicans would do all that could be done to secure international bimetallism, and they did everything they could against making the only effort possible in providing a commission to visit Europe, absolutely oblivious of the pledges of their party.

BANKING REFORM NEVER PROMISED BY PLATFORM OR PRESIDENT.

The party platform or the President never promised to reform the banking and currency and the Treasury system of this country, and are not responsible for it in any degree whatever. They have promised to continue to maintain the parity. It is true that this great reform in our Treasury—banking and currency—must come, in order to maintain parity without having it cost us from fifty million to seventy million dollars a year. But the people of this country are not yet ready for this banking and currency reform. They had rather still further sacrifice the fifty to seventy millions of dollars a year until they get good and ready. It is not our busi-

ness, as Congressmen, to do it unsupported by the people. It is the business of the people to first demand it, then we can safely act, and not till then.

Mr. JOHNSON of Indiana. Does not your bill contemplate a banking and currency reform?

Mr. WALKER of Massachusetts. I do not yield; and, further, I want the Sergeant-at-Arms to appear, if necessary, to protect my time.

The SPEAKER. The gentleman declines to be interrupted.

Mr. WALKER of Massachusetts. A man has a right sometimes to speak of himself. I think it is recorded somewhere that a man in speaking of himself said that he "had fought a good fight and had finished his course." In my office of chairman of the Committee on Banking and Currency I have, in my speeches and writings, exhausted this question as far as it can be exhausted, upon the issues already raised, and finished my course. But my reports and speeches, to the committee mostly, and on the floor of the House, are ignored by nearly every man, so far as I know, in looking for his personal glory. [Laughter.]

No man has patiently investigated any point and come to me with proof that I was in error, as they were in duty bound to do to a man working day and night in pursuit of the truth on this great reform, as I was compelled to do in my office. I again challenge any man in this House and in the country to successfully point out any error or successfully contradict a single position I have taken. The facts I have given are facts taken from official public documents or compiled in the public offices for me and to which you can refer to see whether I am correct or not. Table G shows how few bonds were taken in the South and West.

UNIFORM COURTESY OF THE HOUSE.

Finally, Mr. Speaker, I want to thank this House for its uniform courtesy to me during my ten years' service. I am not one who prophesies smooth things. I go for the truth direct, with but little regard for who stands between me and the truth as I see it. And yet never on this floor excepting on three occasions in my ten years' service has any gentleman objected when I asked unanimous consent—the gentleman from Massachusetts, my colleague [Mr. BARTLETT], the gentleman from New York [Mr. BENNETT], and the gentleman from Connecticut [Mr. HILL].

Mr. BARTLETT. Nobody on this side.

Mr. WALKER of Massachusetts. Nobody on that side. In fact the opposition party are entirely ready to listen to an independent man, whether he be Republican or Democrat [applause]—entirely ready.

Thanking the House for its uniform and abundant courtesy, I yield the floor. [Applause.]

Mr. JOHNSON of Indiana. Mr. Speaker—

Mr. WALKER of Massachusetts. I do not yield it for a speech.

Mr. JOHNSON of Indiana. I just want to say a few words by way of reply to some expressions dropped by the gentleman from Massachusetts [Mr. WALKER]. There will be no controversy between the gentleman and myself on other matters he has referred to. I simply want to answer one or two points that the gentleman has made. The gentleman has told the House that he did not believe the time had come for banking and currency reform legislation. I imagine that every member of the Committee on Banking and Currency, whether he agrees with the gentleman in his position upon the question of reform in the banking and currency or not, will be very much amazed at this statement. Every gentleman within the sound of my voice knows that ever since the gentleman has been a member of the House he has been one of the most persistent members in clamoring for banking and currency legislation. Why, he is the author of a bill upon the subject which he has tried every means under heaven to have reported from his committee and passed in the House, and which he has time and again insisted was the only salvation for the Government, and which bill is the very essence of a radical reform of the banking and currency laws.

Mr. WALKER of Massachusetts. I object. I have put every other bill in advance of it for my whole ten years' service, and the records of the committee prove it.

Mr. JOHNSON of Indiana. This bill of the gentleman provides, for instance, for banking on commercial assets. Now, that is all, sir, that I care to say upon this point. [Cry of "Regular order!"]

The SPEAKER. The regular order is the—

Mr. JOHNSON of Indiana. I desire to add something additional, very briefly, so that the matter may appear in the RECORD along with the remarks of my friend from Massachusetts.

The SPEAKER. The Chair understands that ten minutes more are left.

Mr. JOHNSON of Indiana. The gentleman has insisted that I once stood upon this floor as a member of the Republican party and voted against the majority of my party. He refers, I believe, to the bill to appoint an international commission—

Mr. WALKER of Massachusetts. I reserve the balance of my time. [Laughter.]

Mr. JOHNSON of Indiana (continuing). For the purpose of securing bimetalism by an arrangement with other nations. The charge that the gentleman makes against me is true.

The SPEAKER. One moment. The gentleman can not reserve his time after he has taken his seat without reserving it.

Mr. JOHNSON of Indiana. The charge that the gentleman from Massachusetts makes against me is true. In all my career in Congress I have never failed to vote for every Republican measure that was before the House that was demanded by the platform of my party in national convention assembled, except on that particular question. Now, every man on the floor of this House is familiar with the conditions that led to the introduction of that plank in the convention that met at St. Louis. It was not designed to mean anything. It was known when it was adopted that it was impracticable, and if possible to be carried into execution it would be detrimental to the gold standard rather than a benefit to it.

The point I desire to make, Mr. Speaker, is simply this—

Mr. COX. Will the gentleman—

Mr. WALKER of Massachusetts. The gentleman from Tennessee made his speech yesterday.

The SPEAKER. The gentleman from Massachusetts declines to yield to the gentleman from Tennessee.

Mr. JOHNSON of Indiana. If banking and currency reform is postponed until the next Congress assembles you will find this Administration and the leading members of this House declaring that it is dangerous to tamper with the currency, that it will influence a certain element at the polls and lead to the defeat of the party, and thus you will find that no action will be taken, and banking and currency legislation will indeed be dead.

But if this Administration will do its plain duty to the people of this country, if it will call a special session of Congress, not to give it a hundred thousand men to crush the liberties of an alien people, but to take up the subject of banking and currency reform now, and if, when that session assembles, the Administra-

tion will lend his active assistance to it, it can take up and consider the subject of banking and currency legislation. It can pass a just measure of reform and put it on the statute books in ample time to vindicate itself before the next general election, for the people will apprehend its benefits and blessings, and the party then will have done its entire duty to all sections of the country, and will have made its calling and election sure when the vote is taken at the next general election.

And I make the point here, and I want every banking and currency reformer in this country to understand, that the President of the United States does not intend to give banking and currency reform a fair show; or, if he does, let him call a special session of Congress to enter upon the discharge of the work. Those who believe in banking and currency reform in this country, and their name is legion, have their eyes on the President of the United States in this great emergency. They have heard him declare that he would call a special session of Congress if the Army bill was not passed.

Now, they ask whether or not a great measure of internal reform is sufficient to command his consideration and his respect. I saw it stated the other day in the Post that a conference had been held of leading Republicans and Senators at the White House, at which the President presumably was present, and that they had determined to accept the compromise Army bill, because thereby they would avoid a special session of Congress, and the idea in avoiding that was that they would avoid the discussion of the money question and give to the President of the United States nine months of uninterrupted time during the adjournment of Congress in which he might solve the question of expansion and the Philippines. And yet the President of the United States told the people at Boston in his banquet address that that was a question to be settled and determined by the American Congress. Verily, sir, the President of the United States is the embodiment of candor and fair dealing with the American people.

TABLE G.—Receipts on account of subscriptions to the 3 per cent 10-80 loan of 1898.

Office.	1898.							January, 1899.	Total.
	June.	July.	August.	September.	October.	November.	December.		
Washington.....	\$12,280,210.00	\$60,782,085.31	\$19,102,763.08	\$22,497,115.94	\$2,787,586.58	\$1,426,534.56	\$501,870.64	\$172,640.78	\$128,559,806.89
Baltimore.....	955,140.00	700,620.00	1,349,596.29	266,012.37	164,785.72	25,429.21	4,974.28	6,911.80	3,473,469.67
New York.....	2,756,470.00	1,550,744.00	27,461,978.29	4,223,762.95	3,649,451.59	798,032.32	344,549.13	54,671.24	40,779,659.52
Philadelphia.....	1,162,470.00	770,258.00	2,256,333.59	255,632.86	114,858.15	39,556.29	22,351.50	3,511.85	4,614,972.24
Boston.....	1,986,900.00	555,300.00	2,845,000.75	128,410.22	474,627.10	38,500.98	20,140.14	7,816.20	6,056,704.89
Cincinnati.....	1,755,890.00	569,298.00	757,342.13	143,616.41	200,464.39	89,285.77	4,310.93	1,337.93	3,520,505.56
Chicago.....	3,812,246.80	.....	2,603,140.02	307,294.30	1,180,628.63	101,856.63	53,865.47	1,359.46	8,060,465.97
St. Louis.....	985,540.00	306,568.00	690,652.65	95,723.79	112,969.44	3,239.71	2,686.97	365.08	2,200,745.64
New Orleans.....	97,480.00	34,120.00	72,367.20	7,460.00	4,258.14	3,653.16	1,116.95	.....	220,465.38
San Francisco.....	722,520.00	601,000.00	478,530.03	31,074.51	15,267.67	5,163.78	3,368.57	1,278.70	1,859,261.30
Total.....	26,514,836.80	74,870,043.31	67,623,104.03	27,956,135.08	8,704,807.41	2,470,283.47	959,232.88	249,893.04	199,348,456.02
Selling price in the market.....	* 104	* 104	105	105.4	105.6	105.5	107	108	.....

* Estimated.

OFFICE OF THE TREASURER OF THE UNITED STATES, February 7, 1899.

Let Us Reform the Filipinos After We Have Reformed the Beef Trust.

A government that loves its soldiers more than it loves the beef trust should know that living cattle could follow the camps easier than hungry men could carry refrigerators.

SPEECH

OF

HON. JOHN J. LENTZ,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 20, 1899.

The House having under consideration the bill (H. R. 12125) making an appropriation to carry out the obligations of the treaty between the United States and Spain, concluded December 10, 1898—

Mr. LENTZ said:

Mr. SPEAKER: I intend to vote for this appropriation of \$20,000,000, but not because I think we are buying anything. Spain was certainly unable to deliver anything, or she would not have begged us to secure and deliver to her her prisoners, which she could not take from the Malays. If she had any title to that property, she would have gone in and taken home her own prisoners. I am willing to give her the \$20,000,000 in charity, just as we have agreed to do by the action of the Senate in ratifying the treaty.

We are no longer confronted by a theory; we are facing a fact.

In substance the Administration, acting as our agent, contracted for 10,000,000 human beings at \$2 a head. This is cheaper than you can buy sheep in Ohio, and inasmuch as the world regards it as a debt, I am willing to pay it, notwithstanding I regret the fact that the gold-worshipping party of these United States has become so callous that it can rejoice in the purchase of slaves by the island full instead of the ship full—slaves not to pick cotton under the lash, but to pay taxes under Springfield rifles and magazine guns; slaves to relieve wealth from an income tax; slaves to justify a large standing army, so that the sons of Senators and Congressmen may wear shoulder straps and live in idleness and luxury; slaves to justify a large standing army which shall be a burden to the farmer and a menace to the liberty of the laboring classes, who have not yet forgotten how their brothers were shot in the back at Hazleton for meeting to discuss their misery, their grievances, and their rights.

Let us pay the twenty millions, not so much because the Senate has ratified the treaty, not because the President and his advisers have been swelled and puffed up with the conceit of empire, not because we could not use the twenty millions to better purpose for our own national family, but because it is the shortest and most economical route back home for the public mind. It is the shortest and most economical route by which we can divorce ourselves from foreign complications and foreign thoughts. It is the shortest and most economical route to return to the immediate consideration of the principles and purposes which inspired our ancestors to frame the Declaration of Independence and construct the Constitution of the United States.

It has been the trick of European powers to get into war with each other whenever the masses of the people began to consider

and discuss the "rights of man." And so I fear in this country those who dictate the policy of this Administration became so thoroughly alarmed at the awakening which took place in 1896, and have been so much disturbed by the persistent and determined study and discussion of economic questions within our own land, that they have sought refuge temporarily from their impending fate by hiding their greedy purposes behind war clouds, hoping and preferring to involve this Republic not only in an entangling alliance with Great Britain, but also with prejudice and hostility against other nations, as well as to complicate us with oriental questions and difficulties.

Of the many thousands of years that man has struggled on earth for existence and civilization we know but little except through some brief scraps of sacred and profane history covering the last six thousand years. But all we do know teaches us that Deity himself has not been able to construct a man of heroic proportions anywhere on the face of this big round earth within 20 degrees either north or south of the equator.

The Philippines lie between the parallels of 6 and 19 degrees from the equator; possibly MARK HANNA and William McKinley can, by shooting "benevolent assimilation" into them with 13-inch guns and by riddling them with Maxim rapid-fire and Gatling guns, do for them what God found himself too weak to do. As for myself, I have no more respect for that Christianity which projects itself through the agency of magazine guns than I have for that Mohammedanism which centuries ago carried on its process of "benevolent assimilation" with fire and sword, and recently projected itself with the insolence and arrogance of bigotry into Christian Armenia.

We have in this country one great American, William Jennings Bryan, who without any power reposed in him and without any patronage except the confidence of a great people, has formulated and declared his policy in graphic words when he said:

I object to shooting Christianity into the Philippines with Gatling guns, first, because it does not do any good to those that are hit; and second, it keeps those who are not hit so busy burying the dead that they have neither opportunity nor time to profit by it.

If such a man were President everybody would know his policy, and the flag would not be made the dish rag of greedy syndicates and corporations who want to loot and plunder Cuba, Porto Rico, and the Philippines.

Let us pay the twenty millions, and do it speedily and gracefully, and learn a little of philosophy at the same time. Let us feel about it as Ben Franklin did when he found that he had paid too much for the whistle. It will be money well expended if it teaches us in the future to say to ourselves as Franklin had been taught to say to himself: "Don't give too much for the whistle." And let us hereafter have Chief Executives who get their inspiration and instruction from the hearts of the people, and not from the schemes and greedy purposes of syndicates and trusts. Let us get away from wars and rumors of war, and get the public mind back to the first principles and the holy purposes of the American Republic, as set forth in the preamble of our great Constitution in these words:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity [not Philippines], do ordain and establish this Constitution for the United States of America.

Until a few months ago I had seriously believed that the preamble to the Constitution of the United States meant something more than empty words. I had thought that this preamble had come down to us with much of that divinity in its purpose which characterized the Ten Commandments when they were committed to Moses to be handed down to humanity.

Let us ask ourselves whether it could have been within the contemplation of the fathers when they used the expression "promote the general welfare," that we should shoot "benevolent assimilation" into the Philippines through the agency and the dictatorial power of a President who, only a few months ago, declared that "forcible annexation would be criminal." If the expression "promote the general welfare," in the preamble of our Constitution, justifies shooting "benevolent assimilation" into the Philippines, then it is subject to the interpretation that we can shoot the same "assimilation" into Russia, and England, and Germany, and China, and Australia.

The men who now are clothed with a little brief authority are demonstrating the saying of the old Greek poet that "every new ruler is a tyrant." Not only is this majority appearing in the form of a monstrous tyrant to the Philippines, but all Europe must chuckle and gloat over the fact that the American Republic, following the dictates of a mercenary majority, has seen fit to abandon its peaceful pursuits and go half way around the world to the opposite side of the earth and there pretend with shot and shell, with murder and hell, to be carrying on the business for which the great American Republic was incorporated under the great charters of the American Constitution and the Declaration

of Independence. Fine words butter no parsnips. Hereafter the initials "B" and "A" will not only be synonymous with "benevolent assimilation," but they will forever stand as the initials of "buncombe" and "arrogance."

On the 4th day of July, 1776, the wisest and most disinterested patriots that ever voiced America's hope and mission made their declaration to the world and to all generations of mankind in these words:

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

The high purpose and inspiration of these words must have been the soul and the spirit of the leaders among the Philippines in their efforts to throw off the yoke of Spanish Government, and to-day they can have but one solemn purpose, and that is "to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." Suppose Germany and France, after the assistance rendered by Steuben and Lafayette and thousands of others of their citizens, had sent their armies over to establish a "stable government" and to shoot "benevolent assimilation" into Washington and Jefferson and Adams and Paine and Morris and Benjamin Franklin. The answer of our fathers would have been that the men on this side of the water knew better how "to institute a government that would effect their safety and happiness" than any foreign power.

Our Declaration of Independence did not claim that our colonial ancestors would establish a perfect government, but merely proposed for the time being "to institute a new government, and to lay its foundation on such principles and organize its powers in such form as to them shall seem most likely to effect their safety and happiness." What commission of politicians, what political faction, can be trusted to establish an honest government on the opposite side of the earth when the syndicates and trusts and other forms of organized greed are able to hoodwink the people and dictate every act and the entire policy of the administration of affairs at home? Think of the arrogance and assumption of a political party that proposes to carry Christianity to the heathen, when at home we can not have an honest election of our Presidents and Senators and Congressmen! Think of talking about "benevolent assimilation" for the people on the other side of the earth, when bribery and corruption have besmirched our Senatorial togas over and over again! Think of the sham, and cant, and hypocrisy, and assumption of bettering the condition of the Philippines by an Administration that secured its power for four years by intimidation, coercion, and bribery of the weak and hungry and humble of our own land!

Not many years ago a large percentage of the people of these United States found scriptural authority for keeping the negro in slavery, alleging that the white master could take better care of him than he could take of himself. Lincoln led us through the red sea of fire and blood that delivered us from that shame and that wrong to humanity. To-day the party that arrogates to itself the name of Lincoln's party, not without many notable exceptions it is true, goes strutting in imperial fashion before the nations of the earth and declares that it will keep 10,000,000 of Philippines and a couple of millions of Cubans and Porto Ricans as political slaves just so long as the majority of the voters in these United States shall, with insolence and assumption, assert that we can take better care of the islanders than they can take of themselves. So long as we have millions of industrial slaves in our own land, in the factory and on the farm, who are being looted and plundered by piratical trusts, we shall have more than enough to do if we turn our Gatling guns on the public enemies at home. We shall have enough to do to put rings in the noses of the hogs that are in our orchards and meadows, without going away from home to borrow trouble. Negro slavery has been abolished. Industrial slavery is the curse and the issue of the hour. Let us liberate our own industrial slaves before we subject 10,000,000 islanders of the Tropics to political slavery.

Let us not deceive ourselves by the high-sounding, vain-glorious term of "world power." Let us not take our hats off to ourselves, and chuckling with vanity forget the lessons we have learned from history's page. The Roman tickled his vain-glorious ears with the battle cry of "world power." The Saracen, wading through blood, smiled with the vanity of becoming a "world power" as he carried the star and crescent from province to empire. The Spaniard of three hundred years ago also carved his way by brute force to the dignity of a "world power," until Philip II boasted that the sun never set on his possessions. Away with the buncombe and jingo of a "world power" that must be carried on and maintained under the theory that "might

makes right" by murdering the Philippines and sacrificing hundreds and even thousands of the lives of our own American manhood amid the diseases and jungles of the tropics.

We need not turn our faces to the future to enjoy the privilege of contemplating ourselves as a world power, for we have been a world power ever since the Declaration of Independence was ratified and consecrated by the surrender of the sword of Cornwallis to Washington at Yorktown. We have been a world power in our peaceful pursuits, teaching all humanity the blessings and privileges of a government of the people by the people. We have been a world power by teaching the world here a little and there a little, line upon line and precept upon precept, of the doctrine and philosophy that "All men are created equal" and that "governments are instituted among men to secure and maintain this equality." That man who does not realize that we have been a world power for more than a hundred years does not understand American history, has not read the history of the world, and does not comprehend the difference between character and brute force. The Republic of France, the humanized Governments of England, Germany, and even Russia, the revolutions against Spanish tyranny in the Philippines, the rebellions against Spanish oppression in Cuba, are all due to the fact that the American Republic has been the educator and world power of the twentieth century.

Let us turn our attention on our own affairs and see whether we have not more than we can care for here. Let the President and his commissions reconsider the act by which he pays as a bonus \$78,375, giving a vacation for the next seventeen years to Charles P. Eagan, without requiring of him so much as the service of a single day. Let us right our wrongs at home before we take care of the heathen. Let us have a satisfactory explanation why \$78,000 should be given for nothing to a man who, after a trial by a court, had been condemned and found unworthy of a commission in the American Army. The Army Register on the 1st of January, 1898, showed the rank of Charles P. Eagan to be that of a lieutenant-colonel, and that there were 67 lieutenant-colonels who were his superiors, and in the list of colonels there were 71 who were his superiors. In other words, of colonels and lieutenant-colonels there were 138 who outranked Charles P. Eagan on the 1st day of January, 1898. For the sake of establishing justice in the land, let the President or some one of his many commissions explain, if they can, to the people of the Union why Charles P. Eagan was so much better than any one of the 138 colonels and lieutenant-colonels that he by Presidential favor could be preferred to all those men and given an opportunity to make contracts and experiments for beef pulp and other cheap meats of the packers' and canners' combines.

After the court had found Eagan unworthy of the commission of an American officer, why in decency and fairness was he not at least subordinated to the 138 officers over whom he had been promoted? One year ago Eagan was drawing, as a lieutenant-colonel, a salary of \$4,000 a year, and had he retired as a lieutenant-colonel his pay for the rest of his life would have been \$3,000 a year. What has he done under the shoulder straps of a brigadier-general except to disgrace the uniform of a soldier? What other reason except Presidential favor and the love of the beef trust can be given for paying Eagan \$5,500 a year the next six years, and then allowing him to draw \$4,125 as a retired officer for the remainder of his life, which, according to the expectancy tables, is eleven years more, or seventeen years in all? Let some mouth-piece of the Administration answer the people these questions if he dare! Meanwhile Eagan will please sing—

"He Certainly Was Good to Me,"

and will also pose as an evidence of prosperity and that wages have been increased.

Let us have another commission appointed to explain to us why Henry C. Corbin by Presidential favor was promoted over 43 colonels who outranked him and made a brigadier-general within the last year. Is it possible that all of these 43 colonels were inferior to this one favorite? And while this same commission is at work, let it find an explanation for the people why the President and the framers of the Hull bill were not satisfied with having donated to Corbin the rank of a brigadier-general, but struggled by day and by night through many months of the Fifty-fifth Congress to lift him above 50 brigadier-generals of the regular and volunteer establishments and clothe him with the dignity and honor of a major-general. In what battle had Corbin distinguished himself? Let some one answer where. I admit that Mr. Corbin has been a courteous and efficient clerk and a good politician in a comfortable chair in a bomb-proof building that was at least 1,500 miles beyond the range of Spanish guns, but I utterly fail to see any good reason why Commanding General Miles and 20 other major and brigadier-generals and 43 colonels of the regular establishment should all have been repudiated and subordinated and this court favorite made the counselor to the king.

As I understand the term "major-general," it means a greater general. If anything, it means more than a great general, and yet this Administration struggled to promote a man who for twenty years has not been a general at all, but merely a clerk in charge of the files, according to the statutes that govern the duties of an adjutant-general. "Adjutant-general" is a French expression. Translated into English it means general adjutant, a general assistant, a general clerk. If the highest military title in the American Army is to be had by legislation and favor, then it ought to become a term of contempt as odious in the ears of a genuine American as the titles of the English nobility were to the men who were the companions of Washington, Franklin, and Jefferson. In America titles of honor are neither to be inherited nor to be received as court favors. They will be titles of contempt unless they are conferred by the people.

Eagan and Corbin must be the pets and favorites of the Administration or they would not have been jumped over the scores of men who outranked them in January, 1898. It is evident they had access to the President and had "pull" enough to get whatever they wanted, and the only legitimate way for either of them to have secured the high rank, as compared with those who from the time of Lincoln down had stood in the Army Register as their superiors, would have been by going to the front, and there, by heroic conduct and skill and ability in the face of Spanish guns, have won the right to wear shoulder straps.

"A tree is to be judged by its fruit." "A man is known by the company he keeps," and this must apply to Presidents as well as other citizens; and inasmuch as the whitewash commission has done its part in relieving Alger, and the President has done his part in rewarding Eagan, little remains to the people but to say that the matter is now up to Mr. Corbin and the President. It is for them to turn aside from shooting religion with Gatling guns into the Philippines and explain to the American people how it is and why it is that in their mismanagement of the Army there were 454 deaths among the killed and wounded and 5,277 deaths by disease. Let them explain to the outraged people, let them explain to the heart-broken fathers and the weeping mothers why this awful record of disease and death even in the camps at home. Is it not apparent by this record of incompetency and inefficiency that we have more to do in our own country than we are capable of doing well, much less assuming the burdens of 10,000,000 people on the other side of the earth?

Let us have an explanation why in the Navy, with its 15,000 to 18,000 men, there were but 18 deaths among the killed and wounded, and not a single death by disease. Let whitewash commission after commission be appointed, and while you may fool a part of the people part of the time you can't fool all the people all the time. If the meat was not rotten when it was delivered at the camps, then it is quite apparent that it was allowed to rot by the nincompoops and misfits who were put in charge of the Commissary Department, many of them being young men who had never been able to support themselves, but had secured their appointments because of the political or social "pull" of their parents.

Think of the outrage of allowing political and social pull to put inexperienced and incompetent men in charge of the provisions of hundreds of thousands of soldiers! What a splendid opportunity the Administration had within that brief war to have shown its regard for honesty and national honor by having placed in charge of the Commissary Department competent and efficient, able-bodied and sound-minded men, who had secured their training and demonstrated their fitness by service on either side in the late civil war. Let us turn our attention to our own affairs, and see whether we can not secure legislation which will make it impossible for the politicians and horse doctors to disgrace and destroy the Army in the future.

Let us turn our attention to the question of Schley and Sampson, and see whether or not we can discover who is responsible for this shameful page of American history. Not even the President of the United States and the Congress of the United States could escape the contempt of the American people by conferring upon Schley any other title than that of second place to Dewey, and to Dewey alone. In the hearts and judgment of the American people Dewey stands as their Admiral, and the world will always recognize Schley as our vice-admiral. The press of the country has crystallized and summarized the judgment of the American people in a little interrogatory poem, which I read from the Brooklyn Jeffersonian of the 11th of March, 1899, in the following words:

SAMPSON OR SCHLEY?

When the Spanish fleet, with full headway,
Dashed out of Santiago Bay,
Taking the chance of death and wreck,
Who stood on a Yankee quarter-deck
And marked the game with eagle eye—
Say, was it Sampson or was it Schley?

Who was it when shot and screaming shell
Turned Sabbath calm into echoing hell
Steamed into the thickest of the fray,
His good ship leading all the way;
While the roar of his guns shook earth and sky—
Say, was it Sampson or was it Schley?

In American hearts who holds first place
Of those who claim part in that glorious chase?
Whose name stood out on that glorious day
As the hero of Santiago Bay?
In letters of gold engrave the name on high—
Say, is it Sampson, or is it Schley?

—Exchange.

Upon examination of the record of Sampson I find that the Navy Register for the 1st of January, 1898, showed 6 rear-admirals, 10 commodores and 3 captains of superior rank to Sampson. Among his superiors were both Dewey and Schley, and had Dewey been in the American waters Sampson, of course, would have been jumped over him as well as Schley and all the rear-admirals and commodores. This might have been excusable if Sampson had had any record to justify it. Napoleon, when he made selection of a commander, always made the test in four words, "What has he done?" If that test had been applied to Sampson, then how could he have been preferred to the other 19 above him?

If it was not because Sampson had political or social pull, then it must have been because his name was Sampson, and when I remember how he wasted time in the peace blockade at Havana I am reminded of the blind Samson pulling down the pillars of the temple. When I remember how he bombarded Matanzas and killed a mule, I am reminded of the jawbone of an ass which made the first Samson famous.

But when I remember that on the morning of the 3d of July this same blind Sampson, for some reason, saw fit to make a trip down to Siboney, 10 miles away, and took with him the *New York*, one of the two fastest cruisers, and to that extent weakened and crippled the guard in front of Santiago Bay, and when I remember that he could have taken one of the dispatch boats and made that trip, I am inclined to think that he wanted to go down in style and with pomp, and, therefore, my conclusion is that Sampson, instead of being honored, ought to be court-martialed for his negligence on that occasion. Cervera regarded it as negligence, and took that very hour as his opportunity to make his escape.

When I remember that after Schley, as commander, had destroyed the whole Spanish fleet, and had compelled the *Colon* to lower her flag after a race of 50 miles, at 1.20 in the afternoon, and remember that Sampson did not arrive until 2.23, and when I remember that the speed of the *Brooklyn* and the *New York* is over 20 miles an hour, I think it conclusive that Sampson had no more to do with the destruction of that fleet than he had with the destruction of the Spanish fleet at Manila. The sinking of the *Merrimac* was also a failure.

Those who find it necessary to trump up some kind of a defense for Sampson saw fit to omit Sampson's letter of the 20th of May to Schley, and Sampson himself saw fit on the 3d of July, in his telegram from Siboney to the Secretary of the Navy, to say, "The fleet under my command offers the nation as a Fourth of July present the destruction of the whole of Cervera's fleet." These two facts weighed in the balances by those accustomed to consider circumstantial evidence as among the most damaging that could possibly be adduced. Witnesses in court are sworn to tell the truth, the whole truth, and nothing but the truth. The fact that the letter of the 20th of May from Sampson to Schley had to be suppressed, and the fact that Sampson himself used the words "the fleet under my command," instead of the words "my fleet under the command of Schley," complete the case. Courage and sincerity are not to be found in either of these acts, and neither legislation nor Presidential favor will ever rob Admiral Schley of the honor of being the hero of Santiago.

Where did Sampson do any fighting? Where did he earn any distinction except for mistakes and jealousy, such as are inconsistent with strategy and true courage? If valor and skill are to earn distinction in the Navy, then a high sense of justice requires that other names than Sampson's be sent to the Senate for promotion.

I regret the necessity of speaking plainly and reciting these names and this history. I have no personal ill will against any one of the men whom I have named, but I can not tamely witness the promotion of men who never were near a fight and who have risked nothing, while those are humiliated who have glorified the nation. Is it not our sworn duty to warn the American people by pointing out the tendencies of this Administration that arrogates to itself a monopoly of honesty and national honor? If for partisan and political reasons alone in these conspicuous places in the Army and Navy injustice to hundreds of superior military and naval officers can be done, if in each State and each community like injustice was done by Presidential appointment of the sons of those who have social and political pull, is it not quite apparent to all who are intelligent enough to cast a ballot that

the time has already come when equal rights and equal opportunities are not only denied to the poor and industrious of the land by the trusts, but are also denied to them by the Chief Executive, whose sworn duty it is to be the conservator of the rights of the weak and the humble?

Is it not high time to read Mill on Liberty, and ponder over his suggestion that—

The tyranny of the majority is now generally included among the evils against which society requires to be on its guard?

Surely it is high time to consider the "tyranny of the majority," when that majority becomes so insolent and impudent as to assert on the floor of the American Congress and to repeat in its editorials of a subsidized and venal press, that men who exercise the right of free thought and free speech should be drummed out of camp and shot. Drummed out of camp and shot for believing and saying that the whole Philippine Archipelago is not worth the sacrifice of one poor widow's son, much less the sacrifice of thousands of America's manhood and hundreds of millions of the hard-earned money of those who pay the taxes into the Treasury for the support of this imperialistic parade before the nations of the world.

There is some satisfaction, however, left to Mr. Bryan and the rest of us in knowing that Senators HOAR, HALE, Edmunds, John Sherman, and Speaker REED, Congressman JOHNSON of Indiana, Carl Schurz, Professor Von Holst, Andrew Carnegie, Grover Cleveland, Dr. Parkhurst, Samuel Gompers, Felix Adler, Reverend Van Dyke, the Republican mayor, Samuel M. Jones, of Toledo, Ohio, the Republican governor, Pingree, of Michigan, and countless others the equals of these distinguished men, are all to be drummed out of camp at the same time and shot for the same kind of treason. For my part I agree with Mayor Jones, of Toledo, when he says:

I am deeply impressed with the belief that it is the destiny of this nation to lead the world in solving problems of social conditions, and in particular in bringing about such a state of affairs as will enable men who are willing to work to be self-supporting and self-respecting, and of value to themselves and to the community.

I am also impressed with the same belief and feeling that moved Andrew Carnegie to say to the editor of the *New York World*, in a letter which appeared in its issue on the 18th of February, 1899, the following:

To the Editor of the *New York World*.

SIR: The President, in his Boston speech yesterday, makes this extraordinary statement: "The Philippines, like Cuba and Porto Rico, were intrusted to our hands by the war."

On the contrary, the protocol signed as the result of the war provided for the Philippines, not "like Cuba and Porto Rico," but expressly reserved them for negotiation with Spain as to their "future control, disposition, and government."

The Philippines have been "intrusted to us" solely by the unexpected demand for them made by the President himself after he had suddenly changed his mind—which was at first that we should not burden ourselves with them.

The Senate asked him to lay before it his instructions or correspondence with the Commissioners, which would have proved this, but he refused.

The Philippine burden is not chargeable to the war. This is the President's own Pandora box, his New Year's gift to his country, for which he alone is responsible. Neither Congress nor the people had any voice in the matter. But one need not wonder why he should now attempt to evade the responsibility, since he tells us that "every red drop, whether from the veins of an American soldier or a misguided Filipino, is anguish to my heart." His conscience smites him. No wonder. The guilty Macbeth also cried out, "Thou canst not say I did it!"

Whether the acquisition of the Philippines was wise or foolish, they are upon our hands, not by the war, but by the President's own act, and he had better stand up like a man and assume the responsibility, asking his countrymen to forgive his mistake if he now sees he has made one.

ANDREW CARNEGIE.

NEW YORK, February 17.

Fie on an Administration and its henchmen that find it necessary to resort to the inquisition of slander and libel in its efforts to stifle free thought and free speech. I am pleased to note that in the Reichstag of Germany the members still have a higher conception of their rights, and that there it can with safety and all frankness be declared on the floor that "it is not the business of the German Parliament to merely register the wishes of the Crown." Sad contrast for the American Parliament, when men like Congressman Johnson of Indiana are given to understand that to entertain a thought, and to express it, in opposition to the temporary desire and temporary notion of the Executive, means to be repudiated and ostracised.

Less than a year ago our Chief Executive, resting supine in his tardiness, was proclaiming his faith in "Spain's sense of justice," which through its ambassador had called him a "low politician." To-day we have "Spain's sense of justice" in contrast with our President's "sense of justice." To-day Spain is humiliating and punishing Montejó, Cervera, and Toral for their failures at Manila and Santiago, while the American President is repudiating and humiliating Admiral Schley and General Miles. It is well known that Shafter wired to Washington, in substance, for authority to retreat from Santiago, and history records the fact that General Toral did not surrender until General Miles had made his historic

race from Washington to Santiago as fast as steam could carry him. It is well known that Toral made his surrender at the time of his conference with General Miles. It is well known that General Miles was heroic and manly enough to disclaim the credit and leave the honor of the surrender to Shafter.

It is well known that General Miles, with a little over 3,000 men, in a campaign of nineteen days, took possession of Porto Rico, notwithstanding he found there as an antagonist 17,000 Spanish soldiers. It is well known that General Miles made that conquest with the loss of but 3 men killed and 40 wounded, and that, like Dewey, he did so without following any orders made by politicians at Washington. It is well known that General Miles entered the civil war from a clerkship in a store, and by gallantry, and courage, and strategy, has won on fields of battle in civil and Indian wars, step by step, every degree of promotion until he stands to-day the Commanding General of the Army, without even so much as a reprimand in his entire military career of thirty-six years, yet to-day the people of America see their entire Army humiliated because, for political purposes, it has been found necessary by the Administration to repudiate a true and faithful military patriot, and yield to the designs of the beef trust and the ambitions of court flunkies and sycophants.

Surely the people will learn the difference between the estimate of Abraham Lincoln placed upon General Miles and the estimate placed upon him by William McKinley. Without any training at West Point, General Miles offered his life for the Union in 1861, and has to his record the proud honor of being one of Lincoln's brevet major-generals before the war was over. Every step and every degree of this promotion was won on fields of battle and not by court favor at Washington. To-day we see Lincoln's major-general insulted and repudiated because he had the honesty and the courage to call the cheapest and the most inferior chucks and scraps of beef by their right name. Meat that was canned in such a condition that the fat and grease and gelatin were all intermingled with the fiber that was stringy, and caused the men to vomit immediately after eating it, could hardly be called by any better name than "embalmed beef."

The thousands who died of disease are the best evidence that the food was vile, and the declarations of thousands of privates, many of whom were professional and business men, and whose word is just as good as that of any of the official class, are evidence sufficient to all fair-minded men that General Miles only performed a soldier's duty and acted along the lines of a soldier's honor when he called attention to the fact that the boys in the camps were not dying because they wanted to.

While we are in the business of having commissions appointed every few days, let us have a commission to inquire and report why the Government sent "embalmed beef" to Porto Rico after General Miles wired Washington requesting that no more shipments be made, saying that plenty of cattle could be bought in Porto Rico to supply the army. Let the commission also report why the boys in the field were compelled to eat this cheapest canned meat, while during the same period 175,000 head of the finest cattle on earth were being shipped alive from the ports on the Gulf of Mexico and Atlantic coast to foreign countries. A government that loves its soldiers more than it loves the beef trust should know that living cattle could follow the camps easier than hungry men could carry refrigerators. The diseases and deaths in our camps demonstrate that something was criminally wrong, and if not for political reasons then why should not the Commanding General of the Army be instructed to locate the wrong? Why not find our weak points and correct them before the next war instead of concealing them with whitewash? General Miles has, by his position and experience of thirty-six years in the Army, become the best qualified man in America not only to find the truth, but best equipped with the courage to tell it when he finds it.

Instead of having the investigation and report made by the Commanding General, as common sense and business-like expediency would suggest, it is apparent that no such investigation will ever be permitted, and I agree with Hon. H. H. McFadden, of the Steubenville Gazette, when he says:

The Administration will likely conclude that there were no sick soldiers, but if there were, the cause was desire to get home. Also, that there was no beef with green mold on it, but if there was, it was the result of blue glass worn by the soldiers to keep the sun out of their eyes.

It was Schley who discovered Cervera, and it was Schley who destroyed his fleet. It was Miles who brought Toral to terms of surrender, and it was Miles who conquered the Spaniards in Porto Rico almost without the loss of life, and yet these two heroes stand condemned by an Administration that is mortgaged to its political creditors, not to promote the "national honor," but to promote the further power of capital and trusts.

Woe unto you Scribes and Pharisees, hypocrites! for ye are like unto whitewashed sepulchers, which indeed appear beautiful outward, but are within full of [5,277] dead men's bones, and of all uncleanness.—23 Matt., 27.

Eagan, Corbin, and Sampson, who never were near a fight, are promoted and rewarded! Schley and Miles, who whipped the Spaniards at every turn in the lane without sacrificing our own soldiers, are discredited and slandered! Is this war or is this politics? Is this Spain's "sense of justice" or is this America's "national honor"? Let the memories of Jackson and Lee, of Grant and Sherman answer.

In the masterpiece of *Æschines*, which was second only to the masterpiece of Demosthenes, the Athenians were warned that in granting crowns they were forming the character of their children. Let us apply the thought of *Æschines* to our own times as we pronounce his words:

Most of all, fellow-citizens, if your sons ask whose example they shall imitate, what will you say? For you know well it is not music, nor the gymnasium, nor the schools that mold young men; it is much more—the public proclamation, the public example. If you take one whose life has no high purpose and crown him in the theater, every boy who sees it is corrupted. Beware, therefore, Athenians, remembering posterity will rejudge your judgment, and that the character of a city is determined by the character of the men it crowns.

I recommend this page of *Æschines* to William McKinley. If American boys and American soldiers see that the king crowns only catering servility and toadyism, then what will remain to promote valor, courage, and heroic sacrifice on fields of battle? If cringing political manipulators by ingratiating themselves on the President can achieve the highest military and naval honors, then what inducement will remain to the honest, stern, and steadfast soldier to seek promotion along the legitimate lines of his high calling? "When the emperor makes his horse a consul, honest men will decline a share in the consulship."

I repeat the thought and reiterate the demand that we return to the consideration and prosecution of the great business and mission of the American Republic. Let us look after the bettering and ennobling of our own 75,000,000 people and their posterity. Let us remember that a chain is no stronger than its weakest link, and let us remember that the Republic will be no stronger against the foreigner than our weakest and most remote island possession. And let us never forget that it was Abraham Lincoln, who had no desire for pomp or glory, who saw no hope in empire and militarism, who gave it as his judgment that—

All the armies of Europe, Asia, and Africa combined, with a Napoleon for commander, could not by force take a drink from the Ohio River or make a track on the Blue Ridge Mountains in a trial of a thousand years. If destruction be our lot, we must ourselves be its author and finisher. As a nation of freemen we must live through all time or die by suicide.

For the past two years it has been conspicuous that the party which to-day arrogates to itself the name of Lincoln, and proclaims itself the guardian and conservator of "honesty and national honor," does not dare to quote from Washington, nor Jefferson, nor Jackson, nor Lincoln, on any of the great questions which are before the American people.

And with the hope that the despotism and tyranny of a boss-ridden majority may not destroy free speech and free thought, let us turn our attention to the heathen *after* we have cared for our own family; let us create new pensioners *after* we have settled with the soldiers who saved the Union; let us Christianize the Filipinos *after* we have taught our own people not to tolerate a man in the United States Senate who secures his seat by bribery and fraud; let us Christianize the Filipinos *after* we have secured equal opportunities for the sons of the poor with the sons of the rich; let us Christianize the Filipinos *after* the business man of small means shall be restored to equal opportunities for existence with the syndicates and the trusts; let us Christianize the Filipinos *after* we have established in America that democratic doctrine of the labor organizations, "An injury to the least of us should be the concern of all of us." Let us attend to the business of the Filipinos *after* we have no business of our own.

For these reasons I want to go on record as favoring the \$20,000,000 appropriation, because we can not afford to lose time quibbling about a few millions, when we can afford to spend hundreds of millions to murder Filipinos. Why hesitate to waste these few millions while wasting so much? Let us say to the world that we do not need the money; we have money to burn. [Laughter on the Democratic side.]

Let us go on giving away the money of the people and tax them for more. The people who have to pay these taxes are not the people who would have to pay an income tax. Let the masses of the laborers come and fill up the Treasury, and let us pay it out. Our hope will be in the taxpayers realizing what is being done by this imperialistic Administration with the taxes which are coined from the sweat of the brow of the farmer and the mechanic. Let us go on and blow away our millions, because we are about to have a new régime. We are to have a royal military establishment, and we are to teach the world how it is and what it is to have a President of the United States who is also King of Porto Rico, Czar of Cuba, and Emperor of the Philippines. [Laughter and applause.]

Eulogy on the Late Hon. W. F. Love.

REMARKS
OF
HON. THOMAS C. CATCHINGS,
OF MISSISSIPPI,
IN THE HOUSE OF REPRESENTATIVES,
Saturday, February 25, 1899.

The House having under consideration the following resolutions—
"Whereas the House of Representatives has heard with profound sorrow of the death of the Hon. E. C. WALTHALL, late a Senator of the United States from the State of Mississippi, and also of the death of Hon. W. F. LOVE, late a member of this House from the State of Mississippi: Therefore, be it

"Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of the late Senator E. C. WALTHALL and of the late Representative W. F. LOVE, and as a particular mark of respect to the memory of the late Senator WALTHALL and the late Representative LOVE, and in recognition of their eminent abilities and distinguished public services, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

"That a copy of these resolutions be transmitted to the family of the late Senator WALTHALL and the family of the late Representative LOVE; and
"That the Clerk be ordered to communicate these resolutions to the Senate."

Mr. CATCHINGS said:

Mr. SPEAKER: The lateness of the hour is such that nothing but the great regard and the warm personal friendship that I have so long entertained for my late distinguished colleague would induce me to take the floor. An intimate and extended personal acquaintance with Mr. LOVE warrant me in agreeing most cordially to the tribute which has just been so gracefully paid to his memory by my colleague [Mr. McLAIN], and I know that the people of Mississippi will do so likewise.

Sir, the ancient proverb that "a prophet is not without honor save in his own country" can have no application in the case of my deceased friend. He died almost within bowshot of the place where he was born and reared. His life went out in a community which knew him well and thoroughly, in the county in which he had long resided, amidst the people at whose hands he had reaped his brightest and most distinguished honors. My acquaintance with him began very many years ago; so far back, indeed, that it is unpleasant to reflect upon how much of my life has passed away since then.

We were young men, serving together in the legislature of our native State. I knew him then as a man of rare judgment and great aptitude and capacity for legislative work. His industry equaled that of any man I have ever known. His judgment and discrimination and accuracy of thought were even then developed to a notable degree, and when he took his seat here I said to him that he was better adapted to the pursuit of legislative work than any other, and that I was confident he had an honorable and successful career before him. How little did he and I then dream that he was to be cut off almost before his Congressional career had begun!

He was singularly sincere and earnest. His temperament was ardent and generous. He was moved by the most refined sensibilities; a candid friend, and a gentleman always.

His devotion to such duties as devolved upon him was worthy of all praise. At the opening of this Congress I had the good fortune to draw a seat beside his. This made my intercourse with him close and constant, and the more intimate it grew the stronger became my regard and affection for him.

I know, Mr. Speaker, that he was an ambitious man, not in the sense that he sought office merely as something which might reflect personal credit or distinction upon himself, but that he might win for himself a name of which his friends and his family would be proud. It was a pleasure to him to feel that he was a leading man in his community. Indeed, I may say that he was always the leading man in every community in which he lived.

But what does it matter, Mr. Speaker, that his career was cut short so suddenly? If he had survived I do not doubt that his experience would have been that which many have gone through. Public office is not satisfying to the heart nor to the soul. Until a man secures an office he often feels that he would derive great happiness and pleasure from it, but when he has attained to it he realizes that he has grasped a mere shadow. He then finds that office holding is hollow and heartless and comfortless. The public servant who is faithful and devoted to his duties too rarely receives the credit to which he is entitled.

There are ambitious men ever seeking to supplant him. His conduct is distorted and perverted by those who would have it so. It is impossible for those at his home to put themselves in his place and understand his environments. It is impossible for them to have beating upon them the same light which sheds its effulgent rays upon him, and so he staggers along, harassed and

distressed, because he feels that he is misjudged. Conscious of his own rectitude, he feels that possibly he is alone in that consciousness. So, public life, I do not hesitate to assert, is the most unsatisfying which a generous, an honest, and a conscientious man can lead. I speak this after long years of observation and reflection. My own constituents have honored me far beyond my deserts, and in what I say I do not wish to be understood as reflecting upon them. It is simply the philosophy of the situation to which I would give utterance.

So it matters not to Mr. LOVE, possibly it is best for him, that he was cut short in his career. Certainly at the time of his death there were none to criticize him. His constituents all admired and loved him. He had done nothing which had brought upon him their complaint or their condemnation, and he died in the full enjoyment of the regard of a large and intelligent constituency.

Death, Mr. Speaker, should not be a terror. We must all come to it. No man has skill or power or strength to avoid it. Certainly we should have the courage to encounter that which all have met who have gone before us and what all must face who come after us. What boots it whether a man's life is extended a few years or a few days or a few hours longer? In the midst of great eternity it is at its longest a mere breath, a mere second of time. I do not know at last if it ought not to be to his dearest friends a matter of congratulation that he ended his career at a time when the clouds of political adversity had not lowered upon him, when he felt that he was in full sympathy and accord with the constituents who had delighted to honor him, and when he knew that his departure would occasion the deepest regret to them all.

Mr. Speaker, Mr. LOVE would have become a distinguished member of this House if he had lived, not because he was a brilliant genius, though he was a man of a very high order of ability, but because he was honest, he was faithful, he was ambitious, he was industrious, and he was true. Those are the elements which achieve firm and lasting success. The brilliant genius may shoot athwart the sky and shed the rays of the meteor, but, like the rays of the meteor, he soon passes away and is as quickly forgotten. It is the patient toil, it is the deep digging for the solid foundation, Mr. Speaker, that achieves those results which find a lasting place.

It was a source of great personal regret to me when I heard of Mr. LOVE's death. I was very much shocked. I did not even know that he had been sick, and yet he was almost a neighbor. So quiet and modest were he and his family that they had taken their grief, their trouble, and their sorrow to themselves; and it was but the day before his death that I saw a telegram speaking of his extreme illness. That was characteristic of him. He did not desire to advertise his suffering or his illness. As he had gone through life, modestly, taking his own burdens upon his own shoulders, so he, modestly, in his own home, with only his family and friends around him, fought the last fight and passed over to his reward.

I do not know, Mr. Speaker, that I need say more. What I have said has been spoken with all earnestness and with all sincerity.

The Late Hon. Denis M. Hurley.

REMARKS
OF
HON. C. W. STONE,
OF PENNSYLVANIA,
IN THE HOUSE OF REPRESENTATIVES,
Friday, March 3, 1899.

The House having under consideration the following resolutions—

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York.

"Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities, and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.
"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. STONE said:

Mr. SPEAKER: I would pay the tribute of a sincere friend to the merits and memory of DENIS HURLEY. Few men in this House have won for themselves a more genuine regard or a kindlier feeling from their fellow-members than Mr. HURLEY possessed. This was not because of anything special that he did or said, but for what they felt he was—a true, sincere, straightforward, open-hearted, clean-handed, honest, and earnest man. He performed his duties in a quiet, faithful, unostentatious manner. He was

ever ready to serve a constituent or aid a friend. He was not an orator, and yet he could express himself clearly and in a manner that attracted attention and commanded respect, partly, perhaps, from the modesty, if not the diffidence, of his bearing, but largely from the transparent simplicity and evident sincerity of his utterances. He was not a constructive statesman, and yet he had earnest convictions on the great questions of the day, and had studied attentively and had acquired a store of information on some of the questions of practical governmental administration of which any of his colleagues might have been proud. He was not highly educated, but he was well informed, and his information was of that practical character which comes from thoughtful observation, intelligent reading, and the teachings of personal experience and reflection. He was not an aggressive partisan, and yet he had deep and strong political convictions, from which he never swerved, and he was always true to the principles of the party with which he was allied.

Mr. HURLEY was exceptionally modest and unpretentious in tastes, manner, and life, and given to no show nor parade. He essayed no leadership and never assumed more merit than he possessed, and often not as much. He was moderate in action, gentle in manner and speech. He was faithful to every trust assumed; true to his country, to his party, to his friends, to himself. He never wavered nor faltered in any cause in which he enlisted. My last interview with him was a striking illustration of his earnestness of purpose and persistent devotion to any cause that enlisted his sympathy and commanded his approval. He had in some way become early strongly impressed with the importance of the adoption by this country of a decimal or metric system of weights and measures, and the bill for that purpose introduced by him in the Fifty-Fourth, and again in the present Congress, was to him a matter of constant care and interest.

When, three or four days before his sudden death, he reached the Capitol for an hour, after many months of weary sickness and enforced absence, he sought the room of the Committee on Coinage, Weights, and Measures with the apparently sole purpose of finding some one who would assume, in the Fifty-sixth Congress, charge of the cause and the work to which he had devoted himself so zealously during his term of service in this body. When he was assured that a colleague from his own State would take up his unfinished work and introduce and press his bill in the next House he expressed his satisfaction in his characteristically quiet manner, but in a way that showed he felt he had performed his last public duty. It was a sad and solemn occasion. Even the hand of death, which he must have felt already drawing him to the silent tomb, did not hold him from a last effort to forward a cause to which he was devoted, and almost from the confines of another world came the legacy of duty which he intrusted to his colleague.

Others who knew Mr. HURLEY in his home, in his family life, in his business associations, can bear witness to those attractive qualities which bound to him a devoted family and confiding and appreciative business associates. Those of us who knew him only as a member of this body can bear ready testimony to his fidelity to public duty, his purity of purpose, and to his simplicity and yet strength of character manifested during his service in this body; and even in the hurry and pressure of these closing hours of a dying Congress we do not forget the friend and associate who has gone on before.

The Late Hon. Denis M. Hurley.

REMARKS
OF
HON. JAMES R. HOWE,
OF NEW YORK,
IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions:
"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York."
"Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned."

"Resolved, That the Clerk communicate these resolutions to the Senate."
"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. HOWE said:

Mr. SPEAKER: In offering a tribute to the life, character, and memory of my colleague, the Hon. DENIS M. HURLEY, let me say that his was not only a spotless life of morality, but one fully charged with those beautiful characteristics that mark the man

of kindly feeling, and whose heart was ever sensitive at the distress of his fellow-men.

Mr. HURLEY was one of God's noblemen. His heart overflowed with kindness. He was generous, brave, withal possessed of a nature as gentle and sweet as that of a child. He was a man of broad and liberal views, wise and sagacious in political counsel, and remarkable business foresight. They loved him most who knew him best. The more intimate one became with him, the more did his genial soul reveal itself.

As a Representative, he was unswerving in his fidelity to the trust reposed in him by the people of his Congressional district, not only giving character and tone to the great business interests centered in his district, but reflecting credit upon the intelligence of his constituents and himself as well.

The world was made better by the life of DENIS M. HURLEY, and when God took him to himself there was left a void that will long remain unfilled.

May the recollection of the good qualities of his life remain with us and continue to inspire us to nobler and better deeds, thus emulating this noble man, leaving the world when we go from it better because of our having lived.

Eulogy on Death of Hon. Stephen A. Northway.

REMARKS

OF

HON. JOSEPH G. CANNON,

OF ILLINOIS.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 18, 1899.

The House having under consideration the following resolutions:

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio."

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned."

"Ordered, That the Clerk communicate the resolutions to the Senate."

Mr. CANNON said:

Mr. SPEAKER: In the Fifty-fourth Congress STEPHEN A. NORTHWAY commenced service upon the committee over which I presided. While I made his acquaintance in the Fifty-third Congress, yet an intimate acquaintance did not begin with him until we were associated together day by day in the preparation of business in committee for the consideration of the House. I became very well acquainted with him under circumstances that I believe gave me a pretty thorough and proper appreciation not only of his mental force, but of his character.

It is difficult for me to pay a proper tribute to his memory. I have it in my mind and heart; but no one can properly describe those factors that go to make up a true manhood. You have to come in contact with a man from day to day to properly appreciate him. Mr. NORTHWAY had excellent ability; he had magnificent integrity. This especially I grew to recognize from association with him under conditions where I could not be mistaken. Service in the committee room and the conference room proved him to be industrious, faithful, intelligent, honest.

In common with his colleagues throughout the country, I was both surprised and grieved at his death; but after all he has but preceded those left behind by but a few days. He had faith in man, faith in his race, believed in it, tried to serve it, not only so far as his constituency was concerned, but so far as all the people of the Republic were concerned, so far as our civilization was concerned. He was a worthy type of the men of all the generations that have worked out our civilization, each generation progressing and at the same time holding the progress that the prior generation made.

Character is better than ability. You can get along without genius and without exceeding ability in individuals or in the mass of the people, but you can not get along without character; and the progress that we have made in the Republic and that our fathers made before its formation and that the race has made has only been possible through character. "If a man die shall he live again?" has been a question present in the mind of each one, perhaps, from the beginning. The universal hope for a continued existence and the universal protest against extinction warrant us in believing in the future life. I, in common with others, have the hope and the faith that when we cross the dark river it is but a continuation of life. Under what conditions I know not; but if it be a continuation of life to the individual, the character still

remains; and in the nature of things, like must seek like there as it does here. And I shall be happy indeed if, when my time comes to cross over, I shall find on the other side association with STEPHEN A. NORTHWAY and such as he was, and as I trust is.

We pause to-day to pay a brief and passing tribute to his memory. That is all we can do. The world is full of life, with death all about us. We drop out of the procession. The tears of a friend and of the family are shed, but there is no time for more than a passing tribute or more than a passing thought. It seems to me that when we pause to-day to reflect on the service of STEPHEN A. NORTHWAY that it is like unto the conditions that existed when it was said that a new disciple said unto him, "Master, suffer me first to go and bury my father." But Jesus said, "Follow me, and let the dead bury their dead." And I am quite sure Mr. NORTHWAY, if he be cognizant of what is passing to-day in this Hall, would be quite content with the statement of what the Master said under those circumstances, and would be also quite content that we should put on the harness and move forward in the performance of our duties as he moved in the performance of similar duties when he was with us. While I shall not forget him while I live, I can not do more than add this brief testimonial to his worth as a man and as a Representative.

The Late Hon. Stephen A. Northway.

REMARKS OF

HON. CHARLES H. GROSVENOR,
OF OHIO.

IN THE HOUSE OF REPRESENTATIVES,

Saturday, February 18, 1899.

The House having under consideration the following resolutions:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. STEPHEN A. NORTHWAY, late a member of the House of Representatives from the State of Ohio.

Resolved, That as a particular remark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Ordered, That the Clerk communicate the resolutions to the Senate.—

Mr. GROSVENOR said:

Mr. SPEAKER: I shall speak but briefly, following as I do the comprehensive and beautiful eulogium which has been pronounced upon STEPHEN A. NORTHWAY by his successor. NORTHWAY, born in New York, went early to Ohio and settled in the Congressional district which produced from the common people so many distinguished men. From the log cabin, the country schoolhouse, and the farm of the pioneer has come a wealth of intelligence, of virtue, and of power. NORTHWAY grew up to manhood and developed into the fine character that he was in the same moral, educational, political, and religious atmosphere which produced Giddings and Wade and Garfield and Whittlesey and a host of other strong men, loyal in devotion to the country, faithful in all the duties of life, and ever exemplary citizens.

As a lawyer, STEPHEN A. NORTHWAY had an analytical mind, without the benefits and support which come of a college training and without the aid of scholastic attainments. In law he analyzed the principles underlying the questions that came before him, and in his efforts in the court-house he carried with him and brought into action that most powerful ally of the advocate, absolute sincerity. It may have been that at times he did not quite estimate the equities of his opponents' case, but if he lost anything in that direction he gained by the power and sincerity with which he presented his side. He had that indispensable quality to the country lawyer, the confidence of the people of his surroundings. No man ever doubted his professional integrity. No man ever for a moment hesitated to believe that NORTHWAY as a lawyer would do right. He won his cases by force of great study of facts, boundless power in their presentation, and the personal momentum born of the reasons which I have given with which he pressed forward in the battle.

In politics he inherited that which was in the air of northeastern Ohio. An atmosphere that produced a Giddings and a Wade, with all their splendid following of strong men, was quite likely to have formed and fashioned the political opinions of NORTHWAY. In politics he believed in doing the right thing. He formed his opinions and he adhered to them. It might possibly well be said that he did not always have full appreciation of political opponents; and here I may well digress for a moment to point out how it was that the men of Ohio—and the same may be said of most of the Northern States, but I confine myself to the illustration of Ohio—the men who came upon the stage of political activity at about the beginning of the war, may not always estimate with a

proper degree of consideration for others the men who held the opposition lines in the great political struggles of those times.

The loyal American citizen who first believed that slavery was a crime against morality and religion and God and liberty and the rights of men, and who, in the second place, believed that slavery was a political curse to the country, to the North and to the South alike, and that its aggressive assaults upon the lines of established freedom and liberty of action and thought might well be carried in the enthusiasm of young men into a position that in the calmer days in which we live might be considered almost bigotry. One by one we saw the barriers broken down; fugitive-slave law executed with lawless cruelty in the very midst of the liberty-loving people of the State; the Missouri compromise disregarded and an attempt to force slavery by virtue of a forced construction of the Constitution upon the free soil of Kansas and Nebraska.

These were conditions that shaped opinions; these were conditions that formed character. These facts count for the sturdiness and the uncompromising pertinacity with which the men of the section that produced NORTHWAY contended for every inch of ground, and often doubtless without very high regard for the opinions of others. Then came the war; and these people, with all this strong growth of prejudice, found themselves surrounded by men who were willing to see the Union destroyed and two countries instead of one organized here. They witnessed it among distinguished men in the State of Ohio, and they realized it when a great segment of the people of the State seemed tending politically toward a man whom the conditions of the country had taught the people to believe was an enemy of the United States and the Union. But enough of this.

Out of the fiery furnace of those controversies came the strong mental organization of NORTHWAY. In politics he loved liberty, and believed in the sanctity of the Constitution and the inviolability of the Union, and he believed in aggressive support of the United States Government under all circumstances.

He served but a single term in the Ohio legislature, and while I knew nothing of him personally at that time, I remember quite well the strong bond of friendship that existed between him and a representative from my own county, the Hon. Nelson H. Van Vorhes, who was speaker of the house and who afterwards served two terms in Congress. He described to me a man much younger than NORTHWAY was with us, but who I would expect to develop into the exact character of NORTHWAY. Firm and aggressive in his convictions, yielding and gentle in social life, but unyielding in public duty where he believed duty pointed in a certain direction. He steadily grew here in the confidence of the membership of this House. He did not push himself into popularity and seek appreciation, but he gradually attained both by his strong characteristics.

His services upon the great committee of appropriations were of the highest value to the country. There his strong points were manifest. Careful study of facts, thorough acquisition of knowledge upon the matters involved, and unyielding fidelity to what he believed to be right. On the floor of the House he attained prominence. He did not make the mistake that so many comers here have made. He did not make the mistake of supposing that the constant pushing of himself into prominence by participating in all the debates in Congress would make him great in the estimation of the country. He did not seek for the popular approval, but he did seek to do his duty.

The flippant indorsement of a newspaper correspondent of some sharp contest which he had brought upon himself with a hope of the advertising quality of the newspaper comment was never sought by NORTHWAY. He was abundantly able to take care of himself upon the floor of the House, but he took care of himself by the force of his knowledge of what he was talking about. He avoided the pitfalls that so many men have attained permanent lodgment in here by attempting witticisms and seeking controversies which demonstrate the power of the young man, rather than the capacity of the statesman. NORTHWAY was able to do something for his country. He reached a point where his voice was potent for economy in expenditure and wisdom in the examination of great questions, and he left it to others to play to the galleries. I do not believe that STEPHEN A. NORTHWAY ever looked at the morning papers to see what had been said about a speech that he had made. He never made a speech on this floor that he did not make for a purpose, and it was a genuine and worthy purpose, and it never involved his own promotion or advertisement.

He was rapidly growing in favor in the State of Ohio. The people of that State had not found him at large beyond the limits of the northeastern portion until he began to attain ascendancy here, and then the people realized what a strong representative they had.

I knew but little of his social or domestic life. It comes to me, however, that he was a loving father and a considerate husband. I know he was deeply attached to his wife and that her condition of health preyed upon him. In social life he mingled in the ordi-

nary affairs here at the capital as others do without seeking promotion, always pleasant, always agreeable, always happy in the greetings of his fellow-members, always attentive and considerate to all who came in his way. He had strong friends here and no enemies, so far as I know.

In the consultations of the Ohio delegation he stood at the head in the matter of the considerate judgment and appreciation of his colleagues. Cordial in his greetings, appreciative of those around him, he won his way to active leadership and stood honored and admired by his fellows. To me his death was a personal blow. Sitting on the beautiful lawn of one of the Ohio delegation at his home in the city of his residence, the little yellow missive that brought the sad news of his death was to me like a blow in the face. I felt instantly his loss. I felt his death as a personal loss to me, and then as the waves of sorrow went forward and forward, growing more and more dim in the distance, I realized that to me the loss was small as compared with the long category of persons and the country that suffered with me. And in the graveyard at Jefferson, amid the graves of Giddings and Wade and other mighty men of their period, he slumbers, awaiting the sound of that trumpet which shall call him to his permanent reward. "Under the sod and the dew waiting the judgment day." A loyal population shed tears over him; the city in which he lived honors his memory; and we, his comrades, come thus to testify to his great worth and our high appreciation.

The Late Hon. Denis M. Hurley.

REMARKS

OF

HON. RICHARD C. SHANNON,
OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions:

"Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York.

"Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.

"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. SHANNON said:

Mr. SPEAKER: My personal acquaintance with our late colleague began only with our common service in this House, and so I may not be allowed to speak of him with that fullness of knowledge regarding his life work and career which is permitted to those who knew him intimately for many years.

My acquaintance thus formed, however, quickly ripened into a warm and sincere friendship, for who could resist that frank and honest nature, that genial and amiable disposition which so endeared him to his friends and associates? To me he seemed to be ever smiling and happy, and so perfectly contented with his lot that I sometimes wondered if he was indeed wholly free from those troubles and cares and anxieties of life which usually disturb men.

If an exception is to be made of the occasion when he recently appeared among us, it must be remembered that he had already suffered the fatal stroke which ultimately laid him low. I shall not soon forget that last interview with our departed friend and colleague. Tears welled to his eyes as he sat listening to our words of earnest sympathy, for we could not hide from him if we would the deep sorrow our hearts felt at his sad condition. A few days later and he had gone to his long home.

Born of Irish parents in the famous old city of Limerick, on "the banks of the Shannon," as he often gleefully told me, DENIS HURLEY came to this country a mere lad—only 7 years of age—but destined to win, as the event proved, both fame and fortune.

Here he grew up in the metropolis, increasing, as we can easily imagine, his naturally sturdy strength by youthful contests, and receiving such education in the public schools as time and circumstances would permit. Having reached his majority he seems to have at once taken a lively interest in the political struggles of his district, where, on account of his great personal popularity, he ultimately became the recognized leader of his party, and maintained that leadership to the end.

That he should, therefore, on occasion become his party's candidate for office is but natural, and that he should enter with ardor into all election contests no one could doubt who ever knew him. He had the experience of both defeat and victory, and whether defeated or victorious he always bore himself in a manner to win

the admiration not only of his supporters but of his opponents as well.

His sterling honesty and fidelity to trust could not pass unnoticed in a commercial community, where these are exactly the qualities to give solid success to any industrial enterprise; and so we find him winning his way also in the business world and securing for himself a handsome fortune that enabled him not only to care well for his family, but also to give scope to his generous instincts in many public-spirited ways, thus setting an example to his sons that will be a constant reminder to them through life of the worth and merits of their honored father.

Of the services of Mr. HURLEY as a member of this House it will not be said of him that he ever sought to make himself conspicuous, or that he was anxious or eager to take part in debate, or, as it is more accurately described, "to get into the Record;" but he will be remembered rather as one who was quite content to devote himself modestly and quietly to the promotion of the best interests of his constituents, seeking in all proper ways to serve and aid them, but without much thought of self, the consciousness of duty faithfully done being the reward he most cared for or desired.

Such services as these may not have been showy or brilliant; but that they were fully appreciated by his constituents there can be no doubt. Ample proof of this may be found in the resolutions adopted by the various political organizations with which he was connected for so many years, fully recognizing his faithful services and paying eloquent tributes to his memory. But to those of us who were designated to accompany our friend and colleague to his last resting place, nothing could be more convincing than the vast throngs of people who were assembled in the vicinity of his home, and afterwards attended the impressive funeral ceremonies at the church and the cemetery. This was the people's tribute to the memory of their Representative, of whom it can be truthfully said that in every relation of life "he well performed his part."

A War of Conquest Waged in the Philippines will Revolutionize the Government—Imperialism Seeks to Substitute Issues Growing out of Complications for Domestic Issues of Grave Importance.

SPEECH

OF

HON. CHARLES F. COCHRAN,
OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Monday, February 27, 1899.

The House having under consideration the bill (H. R. 12086) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance, for trial and service, and for other purposes—

Mr. COCHRAN of Missouri said:

Mr. SPEAKER: When the annexation of the Hawaiian Islands was under consideration I presented to the House at some length my views upon the subject. I favored the annexation of the Republic of Hawaii because it was American in environment, interests, associations, and sympathies. For half a century we had consumed 85 per cent of the exports and furnished a similar proportion of the imports of the Hawaiians. A score of great statesmen and naval and military officers had expressed the opinion that possession of the islands was indispensable to the defense of our seacoasts against foreign enemies, and had pointed out the fact that their occupation by a foreign country would be a menace to the safety of this country.

Our Government had served notice on all the world that we would not tolerate foreign interference in Hawaiian affairs, thereby barring annexation to any other country. Under these circumstances, had we rejected their petition for annexation, such a course would have been manifestly unjust. We had no right to prevent the people of Hawaii from seeking protection elsewhere, unless we stood ready to accord it. Failing to annex the islands when the offer was made—and that, too, well knowing their incapacity to maintain a separate national existence—we could not have justly objected afterwards to their annexation to England, Germany, or France.

A sense of danger was at the bottom of the petition of the Hawaiians for annexation to the United States. They knew they could not cope with first-class powers either in the field of diplomacy or in war, and therefore could not hope to successfully resist demands, however unjust, that might be made upon them at any time by any one of the great powers of Europe. They could not maintain a military establishment nor a great navy, nor bear the expense of fortifications sufficient for defense of their bays and harbors.

These considerations, in themselves sufficient, were not the only reasons which led me to favor the annexation of Hawaii. The Republic was distinctively an American colony. Its Government was in American hands. Its constitution, laws, and institutions were American. Its Government, which had been fully recognized by all the great powers, as well as by the United States, applied for annexation, and I rejoiced at an opportunity to vote for it, just as I would rejoice if to-morrow I could vote for the annexation, not only of Cuba, but the entire West Indian group. The West Indies are American, and, whether annexed to the United States or not, ultimately they will be governed by American laws and enjoy the beneficence of institutions similar to our own. I believe the day will come when the American flag will wave over every island in the Western Atlantic and the Gulf of Mexico, and say, unhesitatingly, a consummation so devoutly to be wished can not come too soon.

But, sir, when the annexation of the Philippine Islands, 7,000 miles from our shores, inhabited by an Asiatic population of probably 10,000,000, is proposed, I can not listen to the proposition with patience, and as often as opportunity has offered I have felt called upon to express in this presence unqualified disapproval of the manifest intention of the Administration to forcibly annex them.

I have tried to point out the striking departure that would be made by committing this great nation to the policy of "criminal aggression" by which the great powers of Europe have forcibly annexed alien countries too weak to defend themselves.

I have endeavored to make clear the incompatibility of such a policy with the teachings of the fathers of the Republic—teachings which until very lately American public men and our people have venerated.

I have urged recognition of the right of every country to order and control its own domestic affairs, unvexed by the intervention of stronger powers, as a duty mandatory upon a country the keystone of the arch of whose Constitution is the immortal Declaration of Independence, the publication of which marked a new era in the history of human government, and the abandonment of which would make the great Republic coparcener of the robber nations whose predatory warfare upon the weak and the defenseless has disfigured the pages of the history of Christendom and filled the world with mourning.

I have challenged attention to our peculiar relations to the Filipinos—relations evolved from the exigencies of a war in which we fought as champions of the oppressed in the Western Hemisphere, while they fought for the redemption of their own country from vassalage.

Now I propose to discuss the question from the standpoint of national self-interest. Putting aside every other consideration, let us inquire whether the annexation of the Philippine Islands, even if accomplished by pacific means, would be beneficial or injurious to the United States.

Mr. Speaker, how did those of us who supported the measure for the annexation of Hawaii justify our course? Why, sir, we contended that the islands were American. And upon what have advocates of the annexation of the West Indies based their position? From Thomas Jefferson down to William McKinley they have said these islands are American, and therefore the flag of the Republic should wave over them.

Mr. Speaker, if the West Indies and the Hawaiian Islands are essentially American, the Philippines are and will forever remain Asiatic. Not in a thousand years would the people of those islands become American in sentiment, ideals, or aspirations. Would the addition of a vast country already containing probably 10,000,000 people, alien in race, instincts, and ideals be beneficial? If annexed to this country, even by the free consent of their people, they would be of little value to our commerce in time of peace, and in case of war with a foreign power they would be a source of weakness and not of strength.

Defenders of the Administration contend that inasmuch as the city of Manila fell into our hands as an incident of the war with Spain, we have a duty to perform—a "duty to humanity" they call it. And what is the nature of this duty? Why, to "maintain a stable government" by the use of machine guns and other modern man-killing devices—to send our soldiers there by the shipload, and, in order to give stability to a government imposed upon the islands by brute force, slaughter the inhabitants, and appropriate the country to our own use.

Mr. Speaker, if any responsibility was imposed by the capture of Manila, it is the liberation of the Filipinos and the protection of their country from the aggressions of the land-grabbing powers of Europe. Instead of suddenly turning robbers ourselves, we should deal justly with a people who for nearly four centuries have experienced the horrors of a reign of despotism and violence equaled only by the atrocities practiced by Spain in the West Indies—a people who, when the American flag was unfurled in Manila Harbor, saluted it as the symbol of liberty and independence, never dreaming that by any possibility the Ameri-

can Republic could become coparcener in a business hitherto monopolized by European monarchies.

Entertaining this opinion, until lately I believed myself to be in harmony with the views entertained by the President, who had said that under our code of morality the annexation of territory by force of arms would be "criminal aggression."

When Congress adjourned last summer it was generally understood that President McKinley and Secretary Day were opposed to the annexation of the Philippine Islands, but in favor of retaining somewhere in the group a naval station. The announcement that they held these views appeared in the papers over and over again, and was never denied. Prominent Republican politicians, known to be on terms of close intimacy with the President, verified this report in newspaper interviews and after-dinner speeches.

Mr. Speaker, had the Administration adhered to the policy thus indicated, it would have received my cordial support, for I view no question bearing upon the foreign policy of the Government from a partisan standpoint.

I believe the United States should hold Manila and the great bay upon which the city is situated against all comers. We should build there a navy-yard equipped with ample facilities for the repairing of ships. We should so fortify its approaches as to render Manila Bay impregnable, and maintain constantly in the Eastern Pacific a fleet ample for the protection of our interests in that end of the world.

Without the shadow of a doubt, the Filipinos would rejoice at the adoption by our Government of the policy I have indicated. They are conscious of the dangers that would surround them if without our protection they should attempt the establishment of an independent government. They have not the means with which to erect fortifications or build battle ships, and if left without our support would speedily become the prey of the robber nations. Upon some trivial pretext the great powers of Europe would seize their harbors and cities, and the islands would be divided up in such manner as to prevent the thieves from quarreling over the booty.

The Filipinos know, Mr. Speaker, that with Americans in possession of Manila this could never happen.

As I view the matter, the conditions created by the Spanish war place within our reach a golden opportunity which is about to be thrown away. Just consideration for the rights of the Filipinos and an enlightened understanding of our own interests would have led not only to an amicable settlement of all questions growing out of the capture of Manila, but to the performance of a sacred duty in such a manner as to strongly conserve our own interests. It would have led to the liberation of the Filipinos, the acquisition of Manila, and American mastery of the Pacific Ocean.

I can not go extensively into the question at this time, but it is unnecessary to more than mention the growing importance of oriental trade and the endangerment of our interests in oriental countries by the recent aggressions of European powers, and the necessity of taking effective measures against this menace to our commerce, as my reasons for favoring the acquisition of a naval station in Asiatic waters.

In recent years our trade with the great human hives of Asia has enormously increased, and the development has just begun. The seizure of Chinese ports by Germany, Russia, England, and France foreshadows an effort on the part of European powers to seal the ports of the far East against American ships and thereby monopolize Asiatic trade.

I have repeatedly said, and I reiterate it, that this country should insist upon access to Asiatic markets, regardless of the pretensions of European powers, and be in a position to enforce the demand at the cannon's mouth. The termination of the war with Spain left us in possession of the key to the situation. The retention of Manila, the fortification of the approaches to the bay, the construction of a navy-yard there, and the maintenance of a powerful fleet in the Pacific would make European powers think twice before attempting to exclude Americans from the markets of Asia, and the announcement of our determination to save the Philippine Archipelago from the rapacity of the land grabbers would be respected, just as the Monroe doctrine has been respected—because the world knows that we stand ready to enforce our demands and are amply able to do it.

Six months ago the outlook for the establishment of American supremacy in the Pacific Ocean was most gratifying. We then looked forward to the construction of the Nicaraguan Canal at an early day as a certainty. The Hawaiian Islands had been annexed to the United States, furnishing an outpost long regarded by military and naval experts as essential to the defense of our Pacific coast and made doubly important by reason of the proposal to build the great canal. We were about to acquire a naval station in the Ladrões, and this, with the occupation of a seaport in the Philippines, would have completed the appointments of an American waterway stretching directly from the Gulf of

Mexico to the coasts of China and Japan. Believing as I do that within a century the Pacific is destined to become the scene of the world's chief commercial activities, I deplore the adoption of a policy which, followed to the end, would substitute for advantages of immeasurable value, which six months ago were within our grasp, such questionable honors and doubtful profits as may be won by subjugating the impoverished Filipinos.

Mr. Speaker, where now is the colossal scheme of commercial expansion which contemplated the construction of the Nicaraguan Canal, the acquirement of coaling stations in the Pacific, the fortification of Pearl Harbor and Manila Bay, a scheme which, carried to completion, would have guaranteed American supremacy in the Pacific and the lion's share of the trade of the 800,000,000 inhabitants of Asia? Forgotten! Or, if not forgotten, at least postponed, and the great Republic has turned its attention to the forcible annexation of the Philippines!

Shame upon statesmanship which, marching to such great attainments, stops on the way and engages in the butchery and pillage of a community of friendly paupers and which, to justify a course so hideous, imbecile, inglorious, and unprofitable, proclaims, with an air of saintliness, that it is undertaken from a sense of duty.

Shame upon statesmanship which so imperfectly understands the necessities of American commerce that it leaves undone a work commended by the wise men of three centuries as incomparably more important than any that man has ever undertaken and cheerfully enters the field as a competitor of "the great powers" in the pillage and spoliation of the petty islands which are mere specks along the highway between the continents.

Mr. Speaker, if we are to wage war for the profit there is in it, in at least two respects the policy of the Administration needs revision. The enormous expenditures of the past year have not yet received sober and careful consideration. A succession of sensational victories on land and sea and the new and strange questions that have been evolved out of conditions growing out of the conflict have naturally monopolized public attention. I forbear extensive discussion of the subject at this time, except in so far as it relates to the matter in hand. If we are to go into war as a business, the expense account must be curtailed sufficiently to at least maintain a parity between outlay and income. With an expense account of millions every day in the week, we could hardly hope to make war profitable. Were robbers exempt from the fear of legal penalties, they would not follow the business long if, in order to pillage a wayfarer of \$1,000, an expenditure of \$2,000 were necessary. But a reformation of war finances would only be one step in the direction of profitable land grabbing. Instead of pouncing upon 10,000,000 people who are undoubtedly the poorest of the poor, we should send our forces against countries capable of contributing at least sufficient booty to pay for the ammunition expended.

A variety of considerations suggest the wisdom of this course. Any one of the great powers of Europe could be made to pay a pretty penny for exemption from a prolonged war with the United States. In a conflict with one of these our soldiers and sailors would be less exposed to the danger of death than are the brave men now quartered at Manila at this very hour. Besides, a certain respectability would attach to a war with Great Britain, France, Germany, Austria, or even Italy. By waging war for the purpose of robbery against one of these we would incur some danger, to be sure, but war is a dangerous business at best, and it should not be forgotten that, as humanity views lawlessness, there are varying grades of infamy. The robber bold, who, pistol in hand, halts the traveler on the highway, and exacts his belongings, incurs the risk of finding his victim armed and full of fight; and this it is that makes the highwayman less unpopular than the footpad and the sand-bagger. Wherefore, Mr. Speaker, I insist that if this great Republic is to turn robber, if mere consciousness of our great power and resources is to inspire a thirst for conquest and convert the sword of Banker Hill into the sword of a brigand, let not the first act of "criminal aggression" be in the nature of petty larceny; let us despoil the rich and not the poor, to the end that the booty won may outweigh the expense incurred.

The forcible annexation of the Philippines can not be justified by the assertion that they are incapable of maintaining such a government as obtains in an American State. This charge is true, but it forms an unanswerable argument against their annexation. They are Asiatic in environment, traditions, and ideals, and while I believe they are capable of maintaining a government, republican in form, suitable to their condition, I do not believe that the time will ever come when they will be capable of organizing and maintaining a government modeled upon the American plan. The racial infirmities of oriental races forbid the hope that they will ever reach a common plane with the Anglo-Saxon. The line of demarcation between the Caucasian and Mongolian races has been so strongly drawn by nature that nothing can efface it. Whether it be climatic conditions, racial differences, or heredity, or all these influences combined, that differ-

entiates the Mongolian from the Aryan stock, the difference exists, has existed for thousands of years, and its eradication is entirely impossible.

Mr. Speaker, I have said that the Filipinos are capable of maintaining a government suitable to their condition, and as friends of the Administration seek to justify their subjugation upon the plea that they are incapable of self-government, the issue raised should be examined. Assuredly the mere allegation that they can not maintain an independent existence can not be received as conclusive. This is the argument by which throughout all the ages absolutism has attempted to deter the human race from striking down hereditary government.

Why, Mr. Speaker, at the end of the Revolutionary war the opinion prevailed in aristocratic circles throughout the colonies that the republican form of government was a failure, and that the attempt to establish a republic in North America would end in disaster. The debates in our Constitutional Convention abound in statements to this effect. I assert without the fear of successful contradiction that, first and last, three-fourths of the speakers who addressed that august body signified distrust and want of confidence in the capacity of the people to govern themselves. Half a dozen times Mr. Gerry, of Massachusetts, and Mr. Hamilton declared, without reservation, their aversion to the republic and lamented the fact that public sentiment would not tolerate the establishment of a monarchy.

On one occasion Mr. Gerry said in substance that he knew, as did his colleagues, that the convention could not give to the country the form of government best calculated to promote the welfare and happiness of the people. He said a limited monarchy, such as existed in Great Britain, was an ideal government, and, after mentioning as an impediment to the establishment of such a government in this country the fact that we had no royal family, he regretted that if this difficulty could be overcome, another more serious would remain; for, said he, we have no hereditary aristocracy out of which to form that noblest institution of the British constitution, the House of Lords.

Another speaker declared that what the country was suffering from was "too much democracy." Another characterized the American voters as the "ribald democracy," and urged the convention to prepare and adopt a constitution minimizing as far as possible the participation of the masses in politics.

Nothing that has been said about the Filipinos is more severe than the castigation administered to the heroes of the Revolution by the speakers who took part in the debates preceding the adoption of the American Constitution. Then, as now, aristocracy lost no opportunity to record its protest against every movement having for its object the elevation of the poor, the lowly, and the ignorant to a higher plane.

Mr. Speaker, I have no patience with the endless repetition of the phrase "stable government." For liberty with occasional disorder is better than vassalage with abiding peace. Centuries filled with revolution, revolutions filled with disaster, were necessary to the emancipation of mankind from the rule of privilege and the curse of governments erected and maintained by brute force; and history proves that opposition to governments thus imposed, and not acquiescence in their "stability," brought about the liberation and enfranchisement of the millions who to-day rejoice in a larger measure of civil and religious liberty than any of the generations that have passed away.

But, Mr. Speaker, of graver importance than the mere computation of profits and losses is the fact that the country is about to be committed to a policy which will surely result in the subversion of the Government. The Republic is beset by mortal perils. Government of the people, by the people, for the people, must not perish. The people must not have their attention diverted from issues and problems upon the wise determination of which the preservation of constitutional government and human liberty depends. Domestic problems of immeasurable importance demand our undivided attention, and I believe that one of the objects aimed at by imperialism is the diversion of public attention to new themes.

Plutocracy is enthroned in the American Government, and unless expelled from control of the country in the near future will obtain such mastery as to render its expulsion from power by peaceful means impossible. Hired emissaries of the great corporations infest State capitals and the seat of National Government for the purpose of supervising legislation, and even manage to control the selection of many of the judges who preside over State and national courts. Gigantic monopolies are gradually taking possession of all profitable branches of business, as well as of the mines, quarries, forests, and oil fields.

Combinations of capital, formed for the purpose of crushing individuals engaged in trade and commerce, have been organized in all parts of the country in the teeth of statutes denouncing trusts as unlawful, and pursue a course flagrantly lawless without the least danger of punishment.

Transportation companies do not hesitate to discriminate against

localities and individuals, building up some communities and beggaring others, enriching some individuals and impoverishing many more, and this notwithstanding statutes denouncing discrimination by common carriers as a crime punishable by the imposition of severe penalties.

As a result of this intolerable violation of the law of the land the larger cities are being enriched at the expense of country towns, and all the business activities of a continent are being centered in a few cities because, forsooth, thereby watered stocks earn larger dividends, enabling a few thousand stockholders in transportation companies to thrive and wax fat at the expense of the commonwealth. The servant has become master. Corporations created by the State have obtained control of the Government, and unless they are driven out of power the end of free institutions is at hand.

Mr. Speaker, on the Federal statute books is a law denouncing the formation of trusts as a crime. Nearly all the States have enacted similar legislation. Are these statutes obeyed? No. Who violates them? The boon companions and advisers of Presidents, Cabinet officials, governors, and legislatures—aye, and of the prosecuting attorneys and judges charged with the enforcement of the laws of the land! Gentlemen who feel called upon to send armies to the Philippines in order to establish a "good government" there by the use of machine guns against the natives might find more wholesome and hopeful employment by invoking the activity of public prosecutors, marshals, and sheriffs in the suppression of the brazen crimes of American trust managers.

Mr. Speaker, I verily believe that the backbone of the foreign policy of the Administration is the desire of these unwhipped criminals to put a stop to popular discussion of domestic questions. The beneficiaries of the hundreds of trusts and unlawful combinations which are preying upon the people of this country could crave no greater boon than the substitution of political issues growing out of a "colonial policy" for domestic questions, the most important of which is the unblinking lawlessness of corporation managers and their alarming prominence and supreme influence in politics and government.

Mr. Speaker, I submit here a list of trusts, every one of which will feel secure in a lawless existence if, by committing the country irrevocably to the policy of the Administration, questions growing out of complications abroad can be substituted for the economic problems which in recent years have occupied the attention of the people:

Anthracite Coal Pool (railroads forming it capitalized at).....	\$1,000,000,000
Standard Oil Company.....	100,000,000
American Cotton Oil Company.....	30,500,000
National Linseed Oil Company.....	18,000,000
Federal Steel Company.....	200,000,000
Carnegie Steel Company.....	25,000,000
Merchants' Steel Trust.....	25,000,000
Illinois Steel Company.....	18,650,000
Lake Superior Consolidated Iron Mines.....	30,000,000
American Steel and Wire Company Company.....	12,000,000
Cambria Iron Company.....	10,000,000
Lorain Steel Company.....	9,000,000
Colorado Fuel and Iron Company.....	13,000,000
Pennsylvania Steel Company.....	5,000,000
Bituminous Coal Pool.....	25,000,000
Tennessee Coal and Iron Pool.....	20,000,000
Bay State Gas Company.....	50,000,000
Consolidated Gas Company.....	35,000,000
Chicago Gas Company.....	25,000,000
New Amsterdam Gas Company.....	23,000,000
American Sugar Refining Company.....	75,000,000
Glucose Sugar Refining Company.....	40,000,000
American Bell Telephone Company.....	26,000,000
New England Telephone Company.....	15,000,000
American Spirits Manufacturing Company.....	37,000,000
Standard Distilling Company.....	34,000,000
North American Electrical Company.....	50,000,000
General Electric Company.....	21,000,000
Edison Electric Company.....	10,000,000
Westinghouse-Walker Company.....	15,000,000
Flour Trust.....	150,000,000
United States Leather Company.....	125,000,000
Continental Tobacco Company.....	75,000,000
National Biscuit Company.....	55,000,000
Cornstalk Trust.....	50,000,000
American Corn Harvester Trust.....	60,000,000
Western Lumber Pool.....	45,000,000
United States Rubber Company.....	40,000,000
Dressed Beef Trust.....	50,000,000
Sheet Copper Pool.....	40,000,000
American Tobacco Company.....	34,000,000
International Paper Company.....	45,000,000
Acid and Chemical Trust.....	50,000,000
American Maltng Company.....	30,000,000
International Silverware Company.....	80,000,000
National Lead Company.....	30,000,000
The Knit Goods Company.....	30,000,000
Sash and Door Trust.....	20,000,000
National Wall Paper Trust.....	30,000,000
Cigarette Trust.....	25,000,000
Union Typewriter Company.....	18,000,000
Window Glass Pool.....	18,000,000
Burial Casket Trust.....	15,000,000
Crockery Trust.....	15,000,000
Smelters' Combination.....	25,000,000
Ribbon Trust.....	18,000,000
Gossamer Rubber Pool.....	12,000,000

Ax Trust.....	\$15,000,000
Bolt and Nut Trust.....	15,000,000
Lithograph Trust.....	12,000,000
Tissue Paper Trust.....	10,000,000
Rock Salt Trust.....	5,000,000
Celluloid Trust.....	8,000,000
Saw Trust.....	5,000,000
Standard Rope and Twine Trust.....	12,000,000
American Thread Company.....	12,000,000
American Furniture Company.....	12,000,000
Union Stock Yards.....	13,000,000
Diamond Match Company.....	11,000,000
Consolidated Ice Company.....	10,000,000
Plate Glass Trust.....	10,000,000
Pacific Coast Company.....	13,000,000
Cartridge Trust.....	10,000,000
National Starch Company.....	11,000,000
American Fisheries Trust.....	10,000,000
Refrigerator Trust.....	10,000,000
Texas Pacific Land Trust.....	9,000,000
Welsbach Commercial Company.....	9,000,000
American Strawboard Company.....	6,000,000
Hecker-Jones-Jewell Milling Company.....	5,000,000
New York Airbrake Company.....	5,000,000
United States Envelope Company.....	4,500,000
American Type Founders' Company.....	3,750,000
American Soda Fountain Company.....	3,750,000
Atlas Tack Company.....	3,000,000
Trenton Potteries Company.....	3,000,000
National Rice Milling Company.....	2,000,000
E. I. Perkins Horseshoe Company.....	1,750,000
Vermont Marble Company.....	3,000,000
Chicago Packing and Provision Company.....	2,000,000

Mr. Speaker, \$3,700,000,000 is the aggregate capitalization of this partial list of the unlawful combinations which thrive and wax fat in the teeth of statutes, Federal and State, denouncing their managers as lawbreakers. And presidents, governors, judges, public prosecutors, and lawmakers not only consort with these professional and notorious criminals, but in many instances hold commissions in the public service through the instrumentality of trust politics. For, Mr. Speaker, it is unquestionably true that in every State in the Union the great corporations are all-powerful in politics. They maintain a retinue of hired emissaries, who actively participate in the political affairs of almost every county in the United States. In Democratic States their hirelings consort with Democrats. In Republican States they are Republican. In doubtful States they contribute to all campaign funds, dabble in the management of all parties, and when the polls are closed are in a position to exact a return for favors shown from whatever party may succeed.

The agents and emissaries of the corporations begin operations by controlling the primaries in counties and packing county conventions. This done, mastery of State legislation and national politics is a necessary consequence. Since, then, the corporation controls the selection of public servants, its brazen and notorious violation of law and exemption from legal penalties is not, after all, surprising.

Mr. Speaker, without the shadow of a doubt there are large numbers of professional lawbreakers in the United States who rejoice at the turn which has transferred public discussion to new themes and who see in the prospect of a continuation of the fatal policy mapped out by the McKinley Administration a means of escape from a storm which has long been gathering. Their expectations are doomed to disappointment. Neither foreign wars nor schemes of colonial empire will be sufficient to extinguish popular interest in a subject which is continually thrust upon the attention of the people by the offensive notoriety of corporation lawlessness. Hardly a day goes by without there appearing in the public prints the announcement of the formation of a great trust intended to monopolize some branch of commerce. No effort is made to conceal these lawless enterprises, and it is significant that they are carried on by the inner circle of the school of politicians who are constantly prating about "law and order," maintaining a "stable government," and who pretend to regard an occasional street riot or strike of workmen as an evidence that the American masses are so fatally bent upon mischief, that only a large standing army can save the country from chaos and anarchy.

Upon a former occasion I directed attention to the great sacrifice of life and the enormous outlay of treasure that will be entailed by the insane policy which I fear has been decided upon. Up to this hour not a single supporter of the Administration has addressed this House without interlarding his speech with laudations of his own loyalty and devotion to the flag and denunciation of those opposed to him as wanting in devotion to the welfare of the country and the brave soldiers now in the Philippines. Thorough investigation has satisfied me that out of every thousand American soldiers sent to the Philippines for active military service five hundred will die of disease. To overwhelm the mob of natives called an army would be an easy matter if only our forces could get at them, but nature has interposed impassable barriers to alien occupation of the Philippine Archipelago. How can an army march and fight where a lone cavalryman could not ride? The jungles of the Philippines are as impenetrable as the depths

of the sea. An American army might as well think of marching from one end of hell to the other as undertaking complete conquest of Luzon or Mindanao. Arm the natives of the Philippines with modern firearms and not all the great powers of Christendom could conquer their country. Upon a former occasion I called attention to the opinions of the great writers who have dealt with this subject. They concur in the position that military occupation of the interior of the islands is impossible. Send an army there and attempt the subjugation of the people, but do so with the understanding that the brave men sent there are doomed. Send them by the shipload if you will, but bear in mind that as thousands die of disease other thousands must be sent forward to take their places.

This will require the expenditure of hundreds of millions of dollars and what are we to receive in compensation? Admittedly American colonization is not to be thought of. And are we to monopolize the beggerly thirty millions which represents the aggregate exports and imports of the islands? Not at all. Manila is to be an open door, where all nations may enter upon a plane of equality and compete for Philippine trade. We are to pay the piper to the end that all may dance.

How are we to be profited, then, by the occupation of the Philippine Islands? A score or two of Americans will go over there and secure franchises for the construction of modern street railway and lighting plants. Half a dozen mining companies will appropriate the richest of the Philippine mining properties and capitalize them for many millions. A small army of political mercenaries will find snug places in a colonial government, which, in a little while, will deserve the execration of the country for repeating sins inseparable from the appointment of carpetbaggers to high places in government. Sir, gentlemen who advocate a policy which must inevitably lead to these consequences will not be able to permanently impose upon the country the belief that they, and they alone, are the friends and champions of the American soldiery and the sole guardians of the nation's honor and welfare. [Applause.]

The Late John W. Cranford.

REMARKS

OF

HON. HORACE CHILTON,

OF TEXAS,

IN THE SENATE OF THE UNITED STATES,

Friday, March 3, 1899.

The Senate having under consideration resolutions announcing the death of Hon. JOHN W. CRANFORD—

Mr. CHILTON said:

Mr. PRESIDENT: In the closing hours of this Congress another one of its members has been called from earth. The name of JOHN W. CRANFORD, of Texas, closes the roll of fatality. This gentleman had been in shattered health from the very beginning of his service here, and hence his acquaintance has been limited and his participation in the public business slight; but those of us who knew him at home in brighter days can speak of his career with deep feeling and wide comment.

I knew him well for more than ten years. He won high reputation as a practicing lawyer, but was fond of politics and especially political debate. It was here that he always shone to the best advantage. He seemed to have an unsurpassed tact in conducting joint discussions, and was known far and wide for his aptitude in this respect. The State of Texas, for about ten years prior to 1896, seemed to furnish a field of constant invasion by lecturers, speakers, and organizers of new parties. Mr. CRANFORD belonged to the established or dominant party in the State and he was ardent and active in meeting these lecturers, speakers, and organizers.

No matter where they declaimed he was ready to front them. It was the fashion of these new leaders to profess a desire for joint debates, and CRANFORD always forced them to make good their professions. If it was a day meeting or night meeting, in a distant schoolhouse or a brush arbor, at a crossroads gathering, a picnic, or a barbecue, CRANFORD was on hand. He began to be sent for all over northeast Texas for such occasions. In this way his acquaintance and reputation extended until he was first elected State senator and then Representative in Congress. His rise in public life was the direct result of his constant readiness to meet the adversaries and critics of his party on any ground they might pick. His name will long be treasured by the people of his district as the hero of these joint discussions.

He was a man of affectionate heart and unvarying gentility. While he was in keen and constant political conflict, his life will leave no bitter memories to any who survive him. Rather may all say a man of tenderness and truth has gone.

The Late Hon. Denis M. Hurley.

REMARKS

OF

HON. RICHARD BARTHOLDT,

OF MISSOURI,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions:
 "Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York.
 "Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

"Resolved, That the Clerk communicate these resolutions to the Senate.
 "Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. BARTHOLDT said:

Mr. SPEAKER: To add a spray to the wreath which kindly regard and affection will weave in loving remembrance of DENIS M. HURLEY I esteem a great privilege. It is an opportunity which honors those who improve it, because all who knew our departed friend more intimately will agree that while greater men may have been eulogized here, tributes have never been paid to a better man, if the test of human perfection is the goodness of heart and the purity of soul.

With all our boasted civilization and our wonderful technical progress the average human heart has undergone no change. The same passions, weaknesses, and failings move it to-day as thousands of years ago, and its nobler traits existed then the same as now. Neither knowledge nor education nor even genius constitute a guaranty of character, and some of the greatest artists, authors, orators, and statesmen, who in the drama of life appeared before the footlights, have proved to be knaves or scoundrels. This seems a pessimistic view, tending to breathe despair of moral improvement, but the recognition of a truth brings with it its own salvation. We are attracted by goodness of heart much more than by the most phenomenal intellectuality. We may admire ability or worship heroism, but when we come across a real good man whose lips are touched by benevolence and whose soul is aglow with love for his fellow-men—and DENIS M. HURLEY was such a man—then our whole heart goes out to him, the innate goodness of our own souls reveals itself, and we look up to him as a noble example which it is our duty to emulate. Thus we demonstrate, instinctively perhaps, that we put character above genius and culture, and therein lies the hope of the human race in its onward march to moral improvement and perfection.

We claim for many of our departed friends that their careers forcibly illustrate the possibilities of American citizenship. Of none can this be said more justly than of DENIS M. HURLEY. His career, we may rightfully say, carries lessons no less instructive to our youth than gratifying to all honest friends of free institutions. Born on foreign soil, he came to this country a penniless Irish orphan boy, and yet he died as the Representative in the American Congress of a great and enlightened constituency. Was he less patriotic, less intensely American, because of his foreign birth? Nobody dared to make the assertion, and if narrow-mindedness should ever cause a betrayal of the spirit of our institutions to the extent of drawing such a distinction and making such a charge, Mr. HURLEY's career was a complete refutation of it. He prized American citizenship the higher, because its cardinal duty is love of liberty, and further, because he enjoyed it, not as a natural right, but a privilege under the Constitution, which he should have liked to extend to the downtrodden and oppressed of all the world in strict accordance with the lessons of the fathers. Therefore, when the proposition was made in Congress to restrict European immigration by excluding illiterates—in other words, to punish the poor for their lack of opportunity—he was one of the sternest opponents of such a measure, and advocated with all the seriousness of his nature the maintenance of the right of asylum, a boon which, enjoying it himself, he would not deny to others.

But few can realize the difficulties which beset the pathway of a poor, lone immigrant boy. Without the loving care of parents and without the protection and influence of friends, he has to depend entirely upon himself from the very start. Compared with the native-born he is naturally at a vast disadvantage. Only when we bear this in mind it will be possible for us to fully measure the amount of energy, industry, and good common sense required for young HURLEY to be finally accepted as a partner by the large business concern with which he was connected. We often hear it asserted that success in business is most frequently due to unscrupulous methods. If this be true—and I hope it is not—Mr. HURLEY's case is an exception, just as his public career is a refutation of the frivolous idea that politics and corruption

are inseparable or that no one could remain in public life for any length of time without paying the penalty of contamination.

DENIS M. HURLEY was a religiously honest man in business and politics. He served his constituents as faithfully as his customers, but when we ask to what factors his success was originally due my answer is, the rare goodness of his heart, his sublime tolerance, and his charitable disposition. While others captivated the senses of their fellow-men by eloquence, and thus gained popularity and fame, he captured their hearts by good cheer and kindness, and thus became an enviable object of their love and affectionate regard. We strive to live up to the teachings of the Nazarene and Lincoln's noble maxim, "With charity to all, and malice toward none," but during my life I have met but few men who succeeded so well as our departed friend in putting those good teachings into practice, as a mere instinctive manifestation of his innate good nature.

One day I met him on the way to the War Department. He wanted to look up the case of an old colored man who had served in the war of the rebellion, but whose name somehow could not be found on the muster rolls. "There is some mistake," he said, "because the evidence shows that the man did serve in the Union Army," and I am trying to have justice done him. It is true he did not support me in the last campaign, but he is poor and broken down in health, and who should help him in such a matter if I would refuse to do it?" He devoted a good deal of time to that case in the interest of a man who had opposed him politically. On another occasion he complained to me about the defeat of a pet measure of his. "I bear the men who opposed the bill no grudge," he said, "they are simply mistaken, and I shall talk to them and convince them of their mistake, no matter whether the bill will ever be brought up again or not." The spirit of retaliation was foreign to his nature. An old aunt in Ireland, who was obliged, after the death of his parents, to take the 6-year-old boy into her house, treated him unkindly, and shortly afterwards shipped him to America. Years after the same aunt came to this country herself, and to-day they sleep the eternal sleep side by side in the Brooklyn cemetery, he having insisted when she died that she should be buried on his lot. He had also provided for her in her lifetime, and so retaliated in kindness, not in kind, for the cruel treatment he had suffered at her hands.

In the district which Mr. HURLEY so ably represented in Congress, he could not have been elected and reelected but for the fact that he was personally known to the majority of the voters. They knew him as a friend of the poor and helpless, a warm-hearted advocate of the rights and interests of the plain people, and a fearless champion of the cause of humanity and justice. Therefore the sorrow at his untimely death—in the meridian of his powers and in the unimpaired possession of all his faculties—was shared by all classes. The pulpit and the press have united in giving expression to the popular sense of bereavement and in paying eloquent tribute to his memory. It fell to my lot to accompany the delegation from this House and the Senate to the city of his residence, and followed his body to its last resting place. It was a sad and solemn occasion, the memory of which will always remain with me. The whole western part of the great city was in mourning. All classes of its people, the rich, the poor, the old, the young, were moved with a common grief. To one and all the death of their distinguished and warm-hearted friend and fellow-citizen had come with the force of a personal loss. Amid such sincere and loyal tributes to the qualities that enshrine men in the hearts of their fellows, his mortal remains were laid to rest. "Requiescat in pace."

The Late John W. Cranford.

REMARKS OF HON. SAMUEL D. McENERY, OF LOUISIANA.

IN THE SENATE OF THE UNITED STATES,

Friday, March 3, 1899.

The Senate having under consideration resolutions announcing the death of Hon. JOHN W. CRANFORD—

Mr. McENERY said:

Mr. PRESIDENT: I do not propose to give a sketch of the life of JOHN WALTER CRANFORD, who died during the closing hours of the Fifty-fifth Congress. The Senators from Texas have performed that duty—a sad but interesting recital, as it shows the rapid development of a strong and vigorous intellect and the quick appreciation of noble qualities of mind and heart by the constituents of Mr. CRANFORD and his rapid promotions in professional and political life.

He was modest and retiring. No one seeing him passing among the guests of the hotel where he lived or among his associates of the House of Representatives would have marked him for a man of brilliant and peerless intellect.

But such he was. It was only necessary to gain his confidence and touch the quick responsive sensibility of his heart to bring forth the hidden resources of a strong mind, a brilliant imagination, and a store of knowledge that would captivate and charm.

His manner was soft and yielding, his disposition kind and gentle, and his deportment easy and graceful.

I observed him in full health. I saw him when the fatal illness fell upon him. He was the same man. No complaint escaped him. He showed none of the irritability so usual among the afflicted, but was always considerate for others and kind, gentle, and affectionate.

A great misfortune had visited him in the loss of a devoted wife. He had with him his young, motherless children. It was a pleasing sight to see him administering to their wants, to anticipate the every wish of his children, who were not old enough to understand the great bereavement which had overtaken them. His devotion and unceasing attention were beautiful, and he seemed to think that they felt their loss, and his every effort was to make them feel the abiding presence of their mother. But these gentle traits of character, this sweet and loving disposition, was no evidence of the want of strong and vigorous action, the assertion, when necessary, of a vigorous and aggressive manhood.

As a lawyer he had met the ablest jurists of his State, noted for the ability of its bar and bench, and battled with the brave in mental strife. Reason and eloquence and the richest stores of legal erudition were his, and with the strength of a young and fresh mind, his thoughts as clear as light, clothed themselves with burning words.

The halls of legislature echoed to his voice, and he was deep, vast, and comprehensive in all the logic he brought to bear on all great public questions. His life closed while he stood on the threshold of a brilliant future.

For days he lay in suffering, with feeble pulse, but those who loved him were with him, bestowing with ready hands whatever might ease a pang or sweeten that deep cup which all must drink before we stand among the green fields of the celestial land.

Well may we weep
When that stern robber, Death, in wasteful glee,
Can lay his fleshless hand on such as he.

Eulogy on the Late John W. Cranford.

REMARKS OF HON. RUDOLPH KLEBERG, OF TEXAS.

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions:

"Resolved, That by unanimous consent opportunity may be given for tributes to the memory of Hon. JOHN W. CRANFORD, late a Representative from the State of Texas.

"Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, these memorial proceedings shall appear in the CONGRESSIONAL RECORD.

"Resolved, That the Clerk communicate these resolutions to the Senate.
"Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased."

Mr. KLEBERG said:

Mr. SPEAKER: During the closing hours of the now historic Fifty-fifth Congress there went out with it the life of one of its members, that of Representative JOHN WALTER CRANFORD, from the Fourth Congressional district of Texas. It seems that from the beginning his Congressional career was ill fated. No sooner had he reached the capital of the nation with his family two years ago when sickness invaded his home, and made it necessary for him to remove his family to Texas. Upon the advice of his family physician he undertook a sea voyage to benefit the health of his infant child. Accordingly he took passage with his family on one of the Mallory Line steamers in New York Harbor for Galveston, Tex. Scarcely was the ship well under way when fire broke out in her hold aft, the wind blowing a gale from the southeast. The captain could not turn the ship for the shore, but had to face the gale and resort to fighting the fire as best he could.

To increase the gloom and danger of the situation night soon enveloped the burning ship, and only after the most herculean efforts of the officers and crew of the ship to save her and not until the flames leaped over deck, did the long-prayed-for succor come, and that another vessel hove in sight to rescue the crew and passengers and take them back to the city. Returning home overland with his

family. Mr. CRANFORD, as soon as the health of his child was restored, once more returned to his post of duty, only to have his usefulness there again interrupted by the serious illness of his devoted wife, which terminated in her untimely death, when finally he, too, soon succumbed to the ravages of disease after a long and lingering illness, leaving his four young children motherless, fatherless—orphans! No one was ever more devoted to his family than he, and his dying words were uttered in terms of deep and lasting affection for his dear children whom he has left to mourn him.

How pathetic, how melancholy sad was his death! With the memory of the death of his dear, sweet wife yet weighing fresh and heavy on his mind, with his children around his deathbed clinging to their dying father with that paternal love that children only can feel, conscious of his approaching dissolution, he calmly faced the king of terrors and went to the great beyond with a fervent prayer on his lips that a kind Providence might shield and protect his orphan children.

Truly—

God moves in a mysterious way His wonders to perform;
He plants His footsteps on the sea and rides upon the storm.

How inscrutable His wisdom! How unfathomable His plans! And yet He doeth all things well. We must trust that He who tempers the storms to the shorn lamb will also protect and shield the poor, innocent children who are left alone in the world. No doubt kind friends in his home in Texas will come to the rescue, as it can not be otherwise than that a warm and congenial nature, as was the deceased, had scores of friends tried and true throughout the entire great and generous State of Texas, and so we may say in the language of another: "In the night of death hope sees a star and listening love hears the rustling of a wing."

JOHN W. CRANFORD was a man far above ordinary ability, endowed with a bright analytical mind; imbued with the loftiest patriotism and the highest motives of right and justice; possessed of rare oratorical powers at once logical, forceful, attractive, beautiful and fascinating in diction, he was the peer of the ablest speakers on the public hustings and in the arena of legislative debate; and it is said by those who knew him best that he could entertain and electrify a public audience as quickly as any man in the Lone Star State. This peculiar gift to sway and carry with him his hearers was well evidenced by the fact that in the campaign which carried him to Congress he had pitted against him a man who is noted for his eloquence and power on the stump, who yet found in the deceased a foeman worthy of his steel—one who finally triumphed after one of the most hotly contested elections ever held in Texas.

Well could it be said of CRANFORD that he was gentle as a woman, yet brave as a lion, for in his intercourse he was most affable; kind to the stranger, true as steel to his friends, generous to a fault, and profoundly devoted to his wife and children. When aroused he was impetuous and aggressive, yet never vindictive, but always magnanimous and forgiving. Such a nature was well calculated to rise rapidly at the bar and in the forum, and but for the premature failure of his health would have attained great distinction.

As it is, he has made an honorable record in his chosen profession, in the senate chamber of Texas, and in the halls of Congress. Let those who may carp on his shortcomings—and who is not to some extent guilty of them—do more. In the discharge of the performance of his many private and public functions, in his fair and honorable dealings in all relations of life, he has left a proud and lasting heritage to his children and his many friends.

The Late Hon. Denis M. Hurley.

REMARKS

OF

HON. JOHN MURRAY MITCHELL,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the following resolutions:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. DENIS M. HURLEY, late a member of the House of Representatives from the State of New York.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his abilities and as a distinguished public servant, the House at the conclusion of these memorial proceedings shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.
Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. MITCHELL said:

Mr. SPEAKER: My colleague from the Second district of New York has left this House forever, but the memory of his generous, great, and grand spirit will ever remain blessed and revered with those who knew him.

The sweetness, simplicity, and honesty of the nature of DENIS HURLEY were imprinted in every line and expression of his face, and his sturdiness and steadfastness were shown not only from the reflections of his soul but in every movement of his splendid sinews and powerful frame. Could that spirit have existed in an Indian in the days when that race was noblest, it would have made its possessor leader of tribes and his name Great Heart.

His control over men and power to lead and command were proven by the ability with which he repeatedly led his Congressional district to victory and the great trust and confidence reposed in him by his business and political associates. He was incapable of dissimulation. He always had a prompt answer based on sound reasoning when called upon to express his opinion on mooted questions of state. A Congress made up of such strong men, full of sympathy, controlled by good judgment and business experience, instead of causing this country alarm when called together either in regular or extra session, would restore confidence both here and abroad, for everyone would know that progress was assured on great, broad, healthy lines, and that justice would reign supreme.

Why Was the Truth Concealed About Germany?

The American people are like a jury, and if selfish and designing men possessed of great wealth or political power are permitted to control and abuse the newspapers of the country it will be easy for them to control and use the people of the country.

A chain is no stronger than its weakest link, and the United States will be no stronger than its weakest and most remote island possession.

Why could not this Administration, while decorating the graves of the Southern dead for political purposes, have also dropped in a word or two of explanation for patriotic purposes and relieved the people of thoughts of new graves and all the horrors of war with Germany?

SPEECH

OF

HON. JOHN J. LENTZ,

OF OHIO,

IN THE HOUSE OF REPRESENTATIVES,

Friday, March 3, 1899.

The House having under consideration the conference report on the bill (H. R. 12008) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1900, and for other purposes—

Mr. LENTZ said:

Mr. SPEAKER: I want to say that I am in favor of this amendment providing for the Government construction and ownership of the cable to the Hawaiian Islands, not alone for any of the reasons that have been given, but for others.

We are told that the evidence taken by the committee revealed the fact that one expert estimates the total cost of this cable from our coast to the islands at \$2,500,000. We are also told that General Greely, of the War Department, Chief of the Signal Service, estimates that the cable will not cost over \$2,000,000, and yet, despite these facts and figures, it is contended by men on this floor that this Congress ought to authorize a subsidy of \$2,000,000, payable in twenty annual installments of \$100,000 each, to a corporation which is to become the owner. And the principal argument made against public ownership is the everlasting, threadbare bugaboo of the words "paternalism" and "populism."

May we not ultimately expect to hear from those same champions of corporate greed the argument that the public ought not maintain a police force, but let each individual hire from some corporation a bodyguard carrying Mausers, Krag-Jörgensens, and Gatling guns? Nor need we be surprised if they insist upon it that the public should not provide its cities with fire departments, but let each individual protect his own property, either by insurance, or by his own hook-and-ladder company, or by hiring one from some corporation after the fire breaks out. The same argument will prevent the cities from constructing waterworks and electric-light plants, and will send them back to the time-honored principles and practices of mediæval night. The same argument will put up at auction Uncle Sam's postal system and sell it to the highest bidder, and a syndicate of the express companies would take it in at their own price. The same gentlemen who oppose government ownership of this cable will, of course, require the Government to put up at auction and sell the cables it already owns and operates in connection with the Signal Service of the country. The same argument will close the public schools.

Whatever argument there may be in behalf of governmental ownership of our postal system can be summoned with equal, yes, with tenfold, greater force in support of Government ownership of the telephone, the telegraph, and the cable service of the Republic. Much is said about binding together all parts of our Republic by the steel rails of our great commercial highways.

"On the 27th of April, 1865, when the war was over, all the members of the Prussian House of Deputies, over 300 in number, united in an address to our minister, saying to him, among other things, as follows: 'Sir: Living among us, you are a witness of the heartfelt sympathy which this people have ever preserved for the people of the United States during this long and severe conflict. You are aware that Germany has looked with pride and joy on the thousands of her sons who in this struggle have placed themselves on the side of law and right. You have seen with what joy the victories of the Union have been hailed, and how confident our faith in the final triumph of the great cause of the restoration of the Union in all its greatness has ever been, even in the midst of adversity.'

that stand throughout the war for the Union, has to-day among us 4,000,000 American citizens born in the fatherland, and many, many more millions descendents from German parents and German grandparents. Germany has her millions of descendents and blood relations distributed throughout this entire Union; in every State, city, county, town, and hamlet you will find the descendents of Germany; and it is nothing less than an insult to the great loyal, industrious, intelligent, law-abiding citizenship of these Germans in America to be constantly rasping them with the libel and slander that their fatherland is maliciously disposed toward the land of their adoption.

It is insinuated that Germany is opposed to the republican form of government, and that therefore we must fear her. Those who argue this seem to be ignorant of modern history, for if Germany is opposed to the republican form of government, why did she permit France, her next-door neighbor, to establish a republic when she had the power, at the close of the Franco-Prussian war, to dictate that it should be otherwise? Those who argue that Germany is opposed to the republican form of government, or that she is in France are unaware of the fact, that Von Billow, Bismarck's great and worthy successor, in his famous speech in the Reichstag last February, declared that the policy of Germany in the past had been and in the future always would be "leben und leben lassen"—live and let live.

Let us not forget that Lessing, the great German poet, was the first poet of the world to sing the song of cosmopolitanism and declare that every good man on the face of the earth was his neighbor. Of all the nationalities that the world has ever developed there have been no greater lovers, no more consistent and patriotic defenders of liberty and individual liberty than the great German people. From the time of the Caesars to this hour they have kept the fires burning on the altars of liberty.

It is argued for an English alliance that we have a common language. This is answered by the argument that there are other ties (more important than the tie of language) that bind people together. We secured our liberty and maintained our Union with the moral support of an honest friendship on the part of Germany for the American people. This history and these traditions ought not lightly to be trampled under the foot of English diplomacy.

"Why should we form an alliance with one great power, and by that act serve notice on the 6,000,000 German, and the 2,000,000 Irish-born Americans, that we intend to 'naturalize' American citizens born in the other countries of Europe, such as Norway, Sweden, France, Switzerland, Italy, Austria, and Russia, that hereafter they are to be at the service of the English Government against any one or all of their fatherlands? Why should the tens of millions of American citizens who have blood in their veins traced to other nationalities than that of Old England be insulted with the suggestion that hereafter the American Republic is to be used as a bludgeon in the hands of John Bull to pound the head of the Russian bear? Why should the American people be prejudiced against Germany, or France, or Austria, or Russia in times like these? What reason or excuse can be given for a departure at this time from the time-honored Jeffersonian principle of 'an honest friendship with all nations, entangling alliances with none'?"

*Russia has little of her great country in Europe or Asia exposed to the sea, and with her railway about to be completed from St. Petersburg to Port Arthur, on the eastern shore of China, and with England fearing the menace of this great power, it is not strange that English diplomacy should seek an alliance with America and her 75,000,000 people, to be used in resisting the aggressions of Russia or helping England to regain the trade and commerce that Germany has won from her. Possibly English diplomacy pretends to seek an alliance with America for the purpose of forcing Germany into an alliance with her. Then at some future date, when the differences between England and Russia come to war, the English and Germans could combine and make their assault against the Russians by crossing the border line between Russia and Germany, and by using the land forces of these two great governments they could invade Russia, inasmuch as England's navy would almost be useless to attack Russia, who has little seacoast to defend.

'Let it not be forgotten that England never sought an alliance with America when America seemed weak. England seeks this alliance now, and certain anglo-manics are doing all they can to promote it, at a time when we are busy trying to effect the platform declarations of our great patriotic principles of sympathy for suffering Cuba. In no case is this alliance to be sought at this time for the purpose of destroying our platform declarations of sympathy with Ireland in her struggle for home rule. Our American newspapers are publishing from day to day cablegrams from London, and from that other English city, Hongkong, all edited for the purpose of creating ill-will and prejudice in this country against Germany and securing closer ties of friendship with England. Let us remember in public affairs, as well as in private affairs, that it is not wise to abandon an old and time-honored friend to take on a new one. Let us not be deceived by the smiles and wiles of Greeks bearing gifts. Let us ask, in the language of Jeremiah, 'Can the Ethiopian change his skin or the leopard his spots? Then may ye also do good that are accustomed to do evil.'

[illegible]

Tammany Hall, in this only political organization in America that appropriately celebrates the Fourth of July and the Declaration of Independence—let us here and now renew our faith in the fundamental and cardinal principles of Thomas Jefferson. Let us say, not to one, but to all the nations of Europe, that our policy forever shall be "Peace, commerce, and honest friendship with all nations, entangling alliances with none;" and in support of this declaration let us here and now appropriate the closing words of the immortal Declaration of Independence, mutually pledging to each other "our lives, our fortunes, and our sacred honor." (Immense applause, enthusiasm, and congratulations followed the close of this address.)

On the same day Ambassador White, in a Fourth of July speech to the Americans in Leipsic, made the following statement:

From the beginning, as well as during the whole course of the war, the German Government has fully recognized our rights as a nation engaged in warfare. It has adopted the most strict and unqualified neutrality, and its impartiality was not abated by coolness or jealousy toward us. Our Washington authorities have made no request that has not been quickly and fully acceded to. There have been occasions when, if the German Emperor had wished to retard our progress, excuses could have been made and delay could have occurred. I repeat that the attitude of the German Government and of everyone with whom we have had dealings has been everything we could wish, in the spirit as well as in the letter.

But the English, Canadian, and American press continued their display of poisoned headlines such as these: "Only the steel-gloved hand of England holds Europe from attacking the United States, and even now the attitude of Germany is uncertain." Over and over again newspapers and reasonably intelligent men throughout our country asserted that it was only the friendship of England that prevented the other five powers from taking a hand in the war and coming to the support of Spain. Repeatedly it was asserted that England had refused to join in the note delivered on the 7th of April, 1898, to the President, suggesting further negotiations for peace. In order to strengthen the prejudice of this country against Germany, France, Russia, and other European powers, and at the same time increase the prospects of a British alliance, it was found necessary by many to make false statements as to the spirit and the signatures of this note of the powers. The truth is that the ambassadors of the six powers met at the British Embassy and there prepared it. The truth is that the representatives of all six of the powers appeared before the President and that Sir Julian Pauncefote, ambassador for Great Britain, presented the note to the President with this speech:

Mr. President, we have been commissioned by the great powers of Europe, whom we represent here to-day, to approach your excellency with a message of friendship and peace at the present critical juncture in the relations between the United States and Spain, and to convey to you the sentiments expressed in the collective note which I have the honor to place in your hands. It is as follows:

A. The undersigned, representatives of Germany, Austria-Hungary, France, Great Britain, Italy, and Russia, duly authorized in that behalf, address, in the name of their respective Governments, a pressing appeal to the feelings of humanity and moderation of the President and of the American people in their existing differences with Spain. They earnestly hope that further negotiations will lead to an agreement which, while securing the maintenance of peace, will afford all necessary guarantees for the reestablishment of order in Cuba.

"The powers do not doubt that the humanitarian and purely disinterested character of this representation will be fully recognized and appreciated by the American nation.

"PAUNCEFOTE, for Great Britain.

"HOLLEBEN, for Germany.

"CAMBON, for France.

"HENGELMÜLLER, for Austria-Hungary.

"WOLLANT, for Russia."
"WOLLANT, for Russia."

"VINCI, *for Italy.*"

Those who insist upon it that this note was a menace ought to be honest enough to admit that Great Britain contributed her full share to the threat. As a matter of fact the note was not unfriendly, nor was it intended that it should be received in any other spirit than that which actuated the Czar's call for a peace conference of all the great nations of the world. In truth the note was in substance and sentiment the expression of a hope that war could be averted. It did not differ materially from the Thanksgiving sermons that are preached every November on the text promising the day when swords and spears shall be beaten into plowshares and pruning hooks.

The wisdom and cunning of English diplomacy have long been recognized and conceded. There are other motives and purposes that could well be subserved if such an alliance could be effected, as would result in unfriendly relations between the United States and Germany, France, and Russia. French and German commercial relations with the United States are a menace to the future commercial supremacy of England. The immense and gigantic strides of Russia along all the lines of progress and civilization furnish no pleasing prospect to John Bull as he turns his telescope on the dawning future. England did not fail to observe last April that the German secretary of postal affairs announced "that Germany will shortly begin the laying of a separate cable to the United States, and that this will lead to a quiet succession of a separate German cable not over the world."

There was the following comment in the Norwegian Kristiansten, 1944, 1945, 1946:

The two major loss already have made by the buying of the ships from Russia to Japan a business of some 1,200 million. The shift to the United States is completely necessary, for our trade relations with that country become more important in the coming years. The postal service with the United States is necessary for all citizens, and we wish to extend to others who wish to communicate with their families, friends, and business associates in the United States.

late by the British, has at last laid down her own wire; and we can furnish connections which will benefit not only our own trade but that of the Netherlands, Denmark, Sweden, Norway, and Russia as well.

On one of those exceptional days when the fog lifted from London, John Bull's eye fell on a column of the *Krenz Zeitung*, of Berlin, and there saw these words:

The laying of separate cables would not be necessary if the English were less jealous; but they "do not" every scrap of news sent between the Continent and America to suit their own purposes, and it is now certain that they would tie up the lines altogether if it benefited them.

Possibly it was on the same day, while eating his bloody beef, that he dropped his eye on the *British Consular Journal*, and there observed that Germany was continually extending her trade, that her exports for the first quarter of 1895 had increased \$18,000,000, while the British exports had decreased \$5,000,000. It is not strange that our Cousin John should become worried at these facts, nor is it strange that after getting his lion wife to work he should begin to devise ways and means of putting a stop to these cable and commercial connections between the United States and Germany and the rest of the world. It is not strange that he should avail himself of the friendship and partnership relations existing between Wall Street and Lombard Street. It is not strange that he should think how easy it is to get quotations from London and Canadian papers copied into the English papers of America, and thus mold sentiment; nor was he so stupid as to overlook the fact that it was but the rarest occurrence that the papers of America took the pains to make translations and quotations from the German or the French or the Russian papers.

Nor was our Cousin John so shortsighted as to overlook the political advantages that would come to him by reason of America's expansion and imperialism. When he counted the notches in the stick which recorded the history of Great Britain, he found that in every struggle against the Americans he had received the worst of it. He knew that at home the Americans were invulnerable and invincible. He saw in one of the notches the words "Washington at Yorktown," and a little farther up on the stick he saw another notch in which were the words "Jackson at New Orleans," and then he scratched his head and recalled the fact that Lincoln had said:

All the armies of Europe, Asia, and Africa combined, with a Napoleon for commander, could not by force take a drink from the Ohio River or make a track on the Blue Ridge Mountains in a trial of a thousand years.

And then he thought of the old saying that "a chain is no stronger than its weakest link," and then he reasoned that the United States will be no stronger than its weakest and most remote island possession, and then he thought that if he could induce the American Republic to plant its flag on a few remote islands, he would finally have the Republic at a disadvantage, and with his powerful navy he might yet some day have the opportunity of measuring strength on the seas, of which Great Britain has long claimed to be the proud and imperial mistress.

We need not make this all a matter of surmise and speculation, for in the *Evening Telegram*, of Toronto, a Canadian paper which has always been extremely frank in its expressions of dislike for the United States, we find the actual declaration and statement of John Bull's hope in these words:

England will, of course, be favorable, because every colonial accession to the territory of the United States weakens the power of the Republic relatively toward us. With Porto Rico and the Philippines threatened by the unequalled sea power of Great Britain, Canada will no longer be considered by the United States as a hostage for English good behavior in America, nor will the twisting of the lion's tail be as diverting a pastime to Irish politicians at Washington as it has been in the years that are past.

With fears, hopes, desires, and purposes like these stimulating the mind of Great Britain, it is not remarkable that she should recall the maxim of diplomacy, which did not originate with her, that "the end justifies the means." Knowing that she did not have the time nor the opportunity to hypnotize 75,000,000 Americans, she resorted to the next best expediency, which was to fill their minds with a series of foolish notions; to establish in the brain a lot of impressions which day by day would lead up to a deep-seated prejudice, and eventually to the conflagration and hell of war between two great nations. This would stop Germany with her commerce and her cables, and would at the same time weaken the American Republic in her expanding commerce, and turn her aside from her "industry in peace," which Jackson, in his farewell address, said "is the source of our wealth."

It would also divert American thought from economic questions and concentrate all the resources of the Republic to meet the ravages of war and support an imperialistic army. Accordingly the English press continued to publish comments of which the following from the *Weekly Chronicle*, of Newcastle, is a fair sample:

The German Admiral Diederichs, with an unnecessarily large naval force, has been lending such moral support to General Augusti at Manila that it is openly stated by those on the spot that the place would before now have capitulated had it not been for the encouragement afforded by the presence of the Germans.

American newspapers gave free circulation, with conspicuous and emphatic headlines, to such trash as this, and these misrepresentations were so constant and so persistent that the American

people believed, and had a right to believe, that our imperialistic administration had inside information justifying these flaming headlines proclaiming the malice of Germany. Here and there it was intimated that some great Senator would soon make an open declaration on the floor of the Senate calling attention to the mischievous and meddling interference on the part of Germany in the Philippines.

Throughout all this perversion of the truth, throughout all this slander and libel of the great nation of Europe which has furnished the American Republic its lowest percentage of European blood, not a word came on the floor of the House through the well-known mouthpiece of the Administration to set the people right. Although this mouthpiece was as busy as a windmill and in motion almost daily, on all manner of subjects, yet month in and month out not a word of denial or explanation was given to the people as to the real attitude of Germany. Throughout all these many months, while the Chief Executive was making political tours and political speeches in the West, in the South, and in New England, not a word was dropped to counteract the pernicious influence of those who were poisoning the wells of information and persistently adding oil and fuel to the fires of malice that were burning with increasing intensity among the millions of unsuspecting Americans who were made to believe that Germany had become our sullen and bullish enemy, only awaiting the drop of a red rag to begin the effort to gore us to death. What were the facts?

On the 6th of February I had the pleasure and privilege of being one of a party of gentlemen made up of representatives of the Congressional, the State, the military and naval departments of the Government as well as a few others. It was at a dinner given by Prof. Alexander Graham Bell in honor of Maj. Falkner von Sonnenburg, who, as a representative of the German army, had gone to Manila last spring and was returning home by way of San Francisco and Washington. In the presence of a number of gentlemen at Professor Bell's residence on the evening mentioned, Sonnenburg made the statement that he was at Manila at the time the Spanish General Augusti asked permission to go to Hongkong on the next trip of the dispatch boat to that city.

Diederichs at once notified Augusti that it could not be done without the consent of Admiral Dewey, and the matter was left entirely to Dewey, who at once stated that he had no objection, but before he could answer finally he thought it proper for him to communicate with General Merritt, who was then in charge of the land forces. Later, when Sonnenburg called on Dewey for the final answer, the Admiral stated to him that he had talked the matter over with General Merritt, and that they saw no objection to Diederichs allowing Augusti to go to Hongkong, provided Augusti left his written parole pledging himself to act or operate in no way against the United States after being taken over. Sonnenburg made the further statement that the pledge was prepared and signed by Augusti before he was taken aboard. Let some one answer why they were concealed from the American readers. These facts could easily have been given out by the State, the War, or Navy Department.

On the next evening, the night of the 10th of February, Sonnenburg delivered a lecture in the city of Washington, in the auditorium of the Columbian University, under the auspices of the National Geographic Society. The lecture was largely devoted to a description of the islands, the people, and the cities of the Philippines, but in the course of Sonnenburg's remarks he made a statement which has considerable bearing and throws much light on a subject that has been purposely left in the dark by the Administration. Sonnenburg spoke as follows:

After Admiral Dewey's splendid victory at Cavite the neutral powers sent their ships as quickly as possible to Manila Bay. It was expected that the quiet waters of the capital of the Philippines would become in the near future the stage of great military and naval actions, and that many still doubtful questions in warfare with modern ships would find there a practical answer.

It was only by chance that Germany had at that time a relatively strong squadron at hand on the eastern station. The territory acquired in China only a few months before had made it necessary to assemble there two cruiser divisions, and as the news of the complete annihilation of the Spanish fleet became known the admiral of one of these divisions had to go down from the Chinese and Japanese seas to the Philippines.

The division was at that time in the middle of drill and training in evolutions and shooting as the tactical unity of a division, and so it is easily to be understood that the division commander would not wish to divide his squadron, but, on the contrary, would be glad of the opportunity to make use of the trip down to Manila for training and evolutionary purposes. I do not believe that any order of the German Government had been given to assemble a strong squadron at Manila. I understand that the leader of the division, who is fully responsible for the finishing of the training of his men and ships, had in this regard absolute liberty and free hand, as it is usual in our Navy and Army.

But, besides these purely technical reasons, it was to be considered that hundreds of our countrymen who lived outside of Manila, scattered in the many extended Philippine Islands as traders or planters or engineers, might be in a very dangerous position. The insurrection of the Filipinos against the Spanish rule had become general, and rumors were to be heard that all the small ports like Iloilo in the different islands, each of which contained a few of our countrymen, were besieged by the insurgents and their lives and property in the greatest danger.

Under these circumstances it could be expected that after the arrival of the squadron in Manila Bay ships had to be detached and sent to all the small ports to look after the safety of our countrymen and the women and children of every nation whatever.

It was to be expected that from five ships which were concentrated first in Manila Bay, two or three had to be always at sea, patrolling the islands and visiting the places which were said to be in imminent danger from the Filipinos. The two powers at war—America and Spain—could not do that. The former had to remain in front of Manila in her full strength, and could not make detachments for humanitarian purposes only, and the latter was so broken down by the fall of Cavite that she could hardly look after such matters.

But there was still another reason for concentrating the division of Admiral von Diederichs in Manila Bay, and I would be most thankful if my learned audience would kindly look at it with special interest and consideration. It was the release of the crew of our cast Asiatic squadron in the last days of 1900.

By the concentration of all the ships of the division of Admiral Diederichs in one place on the quiet and well-protected waters of Marikina Bay, near Cavite, and the release from the navy of more than 1,700 trained men from the different ships, the embarking and disembarking of necessary supplies of ammunition and provisions for the men and officers could be easily done in a few days, whereas without concentration it would have taken many weeks. On the 23d of June, 1898, the German naval division of Admiral Diederichs had finished that always troublesome and disagreeable work. The Admiral had sent home 1,700 of his old, well-trained sailors and gunners; he had sent home two-thirds of his best and experienced men—noncommissioned and commissioned officers—who had been with him three years on the Asiatic station. Two-thirds of his command were recruits—men who had only three months of land drilling; who had never been on board of a man-of-war before; who had never fired a gun; who had to become sailors and gunners in the following years, but who were inexperienced at the critical time of June.

And now, may I ask the question if any responsible high flag officer would or could do that if he had only the slightest idea, or belief, or wish, or intention, or instruction to meet an adversary in the near future?

Will not every sane mind join with Major Sonnenburg and repeat his inquiry? If Diederichs had only the slightest idea, or belief, or wish, or intention, or instruction to meet an adversary in the near future, would he have sent home 1,700 trained men, two-thirds of his entire force, and substituted in place of them men who had never been on board a man-of-war and had never fired a gun? In the face of this one fact the suggestion that Germany had hostile intentions in the Philippines is little less than infamy.

Nor are we entirely dependent on Sonnenburg for information as to the true condition of affairs at the Philippines last summer; for after General Merritt returned and many of the newspapers had distorted and misrepresented his comments on the German naval officers in the Philippines, the New York Staats Zeitung, on December 19, sought an interview with him for the purpose of securing personal confirmation of the statements attributed to him, which had been denied from German sources. This is what General Merritt said:

In a general way these statements are correct, except that the most important part has been omitted. I did not myself experience any unfriendly treatment from the Germans during my stay there. It is true that Admiral Dewey, after my arrival, told me that the Germans had neither saluted the American flag nor taken any cognizance of my arrival. He added that he had been disposed at first to regard this as a flagrant breach of international etiquette, but had convinced himself afterward that such was not the case, and that the omission of the usual courtesies was easily explained. The English and Japanese warships were lying close to the American fleet and were therefore in a position to see all that was going on aboard, and they accordingly fired their salutes when the occasion to do so presented itself. The German squadron, on the other hand, was anchored at a great distance from the American ships in the bay and was not able to distinguish the hoisting of the American flag.

"All this," added the General, "I explained fully to the reporters who interviewed me on Saturday, and I can not understand why they did not publish it, inasmuch as it lends an entirely different aspect to the case."

It will be observed that General Merritt also found that from his interview "the most important part had been omitted." And so it was in the leading paper supporting the Administration in Washington that what Sonnenburg had said concerning the size of the German fleet and the exchange of 1,700 men was omitted from the account given of his address before the geographic society. The most interesting and most valuable part of his address could hardly have been omitted by accident. It must have been design. There must have been a purpose.

Evidently certain political jugglers, pretending to represent the "honesty and national honor" of our Republic, had secured control not only of a subsidized press, but also of a subservient pulpit, which took their wishes for a warrant to deliver harangues in favor of a British alliance, and at the same time instigate and poison the public mind with prejudice and hostility to Germany, until Carl Schurz, Secretary of the Interior in the Hayes Administration, recently declared as follows:

I have never witnessed a more audacious, reckless, persistent, and methodical effort to excite the public mind to hostility against a foreign nation by downright lying, artful distortion of facts, or crafty insinuation. Nor has this effort been without effect, for there are many otherwise reasonable persons in the United States who thus were made to believe, and who do believe even now, that the German Government, since the outbreak of the Spanish war, has been constantly plotting against the United States.

Every intelligent and candid man—

Says Mr. Schurz—

must conclude that there has been a most outrageous attempt to gull and dupe the American people in this matter. It has been, to use a popular phrase, a bunco game of the most brazen kind, which every self-respecting American should indignantly resent as an insult to our national dignity. Most of the false or misleading stories came here through news agencies under British influence. The circumstances of the case fully authorize the belief that there were Englishmen who wished the American people to understand not only that England was the only trustworthy friend the United

States had in Europe, but that other European nations were insistently canvassing against us, and that British watchfulness and power were needed to protect us against their hostility—all this to bring this Republic more and more under British influence.

The German ambassador to the United States evidently was also annoyed by the grossness of the misrepresentations of Germany, and made an official statement in the form of a newspaper interview, which came to my attention through the columns of the Irish World, of New York, in its issue of the 11th of February, 1899, and I submit the article in its entirety, headlines and all, which is as follows:

ANTI-GERMAN CONSPIRACY.—AN OFFICIAL STATEMENT FROM AMBASSADOR VON HOLLENBACH.—GERMANY NOT HOSTILE TO US.—THE AMBASSADOR PROTESTS AGAINST THE CONTINUED CAMPAIGN OF FALSEHOOD.

Dr. Theodor von Hollenbach, German ambassador to the United States, has given his first authorized interview since the war. It may be regarded as an official statement of the attitude of Germany. Speaking of immediate questions, the ambassador said:

"About the question of expansion, which has become such a vital one, I can say that Germany at least is not interfering in what is strictly the affair of the United States."

"The United States did not object to our occupation of Kiao-Chow. Why should we object to the American occupation of the Philippines? We have not in the Philippines any more vital interest than America has in China. Since the United States, although urged to do so, did not protest against our entrance into her commercial domain in the Celestial Empire, we can not do a more courteous act than to follow her example and abstain from all criticism of her acts in Asiatic waters."

The ambassador emphatically protests against continued intimations of unfriendliness upon the part of Germany, and says, referring to the millions of Germans in the United States: "Any trouble which might occur between the two countries would be to millions of their citizens as great a calamity as a civil war. Commercial friction does not constitute a plea sufficiently strong to warrant our viewing the case in any other light. Commercial friction should not enter into the question of higher politics. I know the American people are too fair-minded to allow minor considerations to influence their judgment in the great things at stake."

"It is true that tariff regulations in this country and restricted legislation in ours have caused ill will, but this is a natural result of the great struggle for commercial supremacy. I can say with perfect truth, notwithstanding much which has been said to the contrary, there never was a moment when the officials of this Government believed one iota of the rumors of German interference or German hostility during the late war."

"When you talk of the Philippines and the presence of a large German fleet in those waters, you must remember that Germany had more valuable and more numerous interests to protect than any other power, England not excepted. In addition to our own interests we had those of Austria, Switzerland, and Portugal. We are acting on the assumption that Spain would not be able to hold her own against the insurgents, and were prepared to cope with a state of anarchy. With the appearance of the United States as the sovereign power all our fears vanished."

But Germany did not leave it for her ambassador alone to speak concerning so grave a matter. Through Baron von Bülow, her minister of foreign affairs, in a speech delivered by him in the Reichstag on the 11th of February, 1899, a declaration was made not only to the people of the United States, but to the world, in the frank, straightforward, and manly spirit that has always characterized the German race. On that occasion Von Bülow spoke as follows:

I emphatically declare that the statements which have appeared in a portion of the foreign press regarding alleged German designs in the Philippines or German support of the Filipinos against the Americans are the most barefaced falsehoods. [Cheers.] The assertion that the German consul-general at Hongkong sold arms to the Filipinos is one of the plumpest canards that ever fluttered from a muddy pool.

The intercourse between the German and American naval officers at Manila was characterized by a spirit of mutual courtesy. Our naval officers conducted themselves throughout in a manner to which no blame can be attached or exception taken, and the conduct of the Americans toward them was just as chivalrous. [Cheers.] In protecting German lives and property from injury within the limits of strict neutrality we exercised what was our just right and fulfilled a national duty. * * *

I believe that between two strong, manly nations frankness and straightforwardness are the best policy and the best remedy for political ill humor more imaginary than real. The mutual relations between the two Governments have never ceased to be good and friendly. * * * I see no point where German and American interests meet in hostility, nor do I see any point in the future where the lines of their development must necessarily cross each other inimically. * * *

In America it is generally assumed that there prevails in Germany a feeling of spite and dislike against America. Here there is a widespread idea that the Americans are animated by particularly unfavorable sentiments toward us. I believe that the people of America are, to a great extent, in the dark relative to German public opinion regarding the war. * * * This has been misrepresented and biased in a perfidious manner by foreign newspapers in order to excite distrust against us in America. This, however, has in no way affected our relations with America, which do not date from yesterday.

Baron von Bülow recalled the early recognition by Frederick the Great of the independence of the United States, and dwelt upon the support which Germany gave to the North in the war of secession. His statements were greeted with loud applause. Continuing, he said that nowhere in the last century had America found a better understanding or more just appreciation than in Germany.

Notwithstanding all these evidences of the desire and disposition of Germany to extend indefinitely the friendship which began with obligations of gratitude from George Washington to Frederick the Great, which were intensified by obligations of gratitude from Seward and Lincoln to William I, the grandfather of William II, yet certain of the American newspapers that have had easy access and an open door to inside information with this Administration continued their slanderous and libelous

attacks, discrediting everything that the German officials had said, and persisted by insinuation and innuendo in their campaign of vilification and prejudice. Finally, by diplomacy of the shrewdest kind, Germany gave the lie into the very teeth of all who had misrepresented her when she ordered the withdrawal of her vessels from the Philippine waters and placed the lives and property of nearly 3,000 German citizens under the protection of the United States Government. Von Bülow and Von Holleben were corroborated by this act of the Crown, and the 50,000,000 of German people in the fatherland were truly represented when Von Bülow said in the Reichstag:

I believe that between two strong, manly nations, frankness and straightforwardness are the best policy and the best remedy."

It was frankness and straightforwardness that characterized the life of Andrew Jackson, and it was in keeping with his courageous and heroic soul that he should say to the people of America and to the world in his first inaugural address the following manly words:

With foreign nations it will be my study to preserve peace and to cultivate friendship on fair and honorable terms, and in the adjustment of any differences that may exist or arise to exhibit the forbearance becoming a powerful nation.

On this same subject Washington expressed himself in his farewell address in these words:

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. * * * In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded, and that in place of them just and amicable feelings toward all should be cultivated. * * *

Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. * * *

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which are apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. * * *

Europe has a set of primary interests which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. * * * Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice? It is our true policy to steer clear of permanent alliances with any portion of the foreign world.

Those who insinuate or assert that these unequivocal evidences of German good will and friendship to the American Republic are mere acts of backing down and fear on the part of the German Empire are unworthy of access to an audience either through the press or upon the platform. They are animated by all the qualities and dispositions that characterize the bully and the rowdy. Men of genuine character, of true manliness, and heroic courage, such as made Washington and Jackson immortal, are ever ready to counsel the American people "to exhibit that forbearance becoming a powerful nation." The German Empire by its conduct and its declarations has done exactly what Andrew Jackson in his first inaugural promised to do; it has exhibited that forbearance becoming a powerful nation.

To the masses of the people of the Republic it affords a sense of relief and satisfaction to know that Germany, with her universal and university education, will always have too much good sense to be deceived or much annoyed hereafter by the snarling of those who are not manly enough to accept her courteous and friendly acts in the spirit that prompts them. The true American gentleman, not only in the editor's chair, but throughout the millions of our citizenship, accepts these manifestations of German friendship as the highest compliment of the world, coming as it does from that nation whose universities are the teachers of the world and whose diplomacy plants itself on frankness and straightforwardness. Thousands of American editors and millions of American citizens have honestly accepted the German declarations of friendship at par, and no one has spoken their sentiments and pride in better terms than Webster P. Huntington, editor of the Columbus Press-Post, in an editorial which appeared in its issue on the 1st day of March, 1899, in these words:

GERMANY VINDICATED.

The withdrawal of German's war ships from Philippine waters, and the placing of the lives and property of German subjects in the islands under the protection of the United States, is a twofold victory of diplomacy on the part of Emperor William. In the first place the act vindicates Germany's pretensions to friendship with the United States, notwithstanding the hostile sentiment which has been cultivated in this country against the fatherland; and,

in the second place, it is a direct slap at the influences which in this country and Great Britain have insidiously attempted to create and foster that sentiment. With the same stroke the Kaiser assures this Government of his good intentions and rebukes those who have misrepresented his attitude in this country and abroad ever since Dewey annihilated the Spanish fleet in Manila Bay.

Administration organs in this country have not been slow to stir up popular animosity against the Germans. The Administration never published the facts in regard to the relations existing between Admirals Dewey and Von Diederichs at Manila, but, on the contrary, was willing to foster the misapprehension touching those relations which deceived many people in the United States. The Administration and its organs perceived that if our people could be persuaded that our relations with Germany were strained, and hostilities between the two nations imminent, it would be the more easy for the Government to increase its naval and military establishments on the "imperial" plan.

An effort was made at Washington and throughout the country by the aid of the Hanna press to have it appear that there was imperative need for great war preparations. A war of conquest in the Philippines was disguised as a precaution against German aggression, in order to force imperialism on the American people in the name of defense. England was a willing and enthusiastic party to this conspiracy, and thus we had urged upon us an Anglo-American alliance at the cost of friendly relations with Germany.

Emperor William has now nipped this scheme in the bud. Following the passage of the compromise army bill in the Senate, his manifestation of Germany's friendly attitude should convince Mr. McKinley that imperialism and militarism can not be fastened upon this country openly or by deception.

"Hoch dem Kaiser!"

The contrast between Abraham Lincoln and William McKinley grows wider and wider every day. It was Lincoln who could say "Let us have but one war at a time." It was William McKinley who could remain impotent and silent throughout this campaign of falsehood and malice against Germany. It was William McKinley who remained indifferent to the increasing tension and excitement which was about to kindle into flame and might have led to war without any reason or sense whatever, just as many other wars have been fought by kings for their own glory, regardless of the miseries and horrors they have visited upon the people. It was the Republican Administration which had access to all these facts and yet permitted all these crimes of journalism throughout these many months.

It was the Republican Administration that stubbornly remained silent and sullen, apparently gratified at the prospects of a war with Germany. It was this Republican Administration that has constantly and continuously remained indifferent to the insults and outrages of misinformation against the fathers and brothers of the German-Americans. It was this Republican Administration that considered it necessary to make a political trip to Georgia and talk about decorating the graves of the Confederate dead, but for some reason sufficient to itself it remained hermetically sealed against giving out facts that would do justice to Germany.

Why could not this Administration, while decorating the graves of the Southern dead for political purposes, have also dropped in a word or two of explanation for patriotic purposes and relieved the people of thoughts of new graves and all the horrors of war with Germany? For that would not have been a war with Spain, and while I do not doubt our ability to grapple with any enemy on the face of the earth, yet I insist upon it that it shall forever be considered the duty of the heirs of Andrew Jackson and of the American Republic "to preserve peace and cultivate friendship on fair and honorable terms," not only with Great Britain but with Germany as well.

Had the German Empire been an emotional or impulsive nation, rather than the plain, steadfast, patient, reasoning and reasonable nation, this Republican Administration would have violated the philosophy of Lincoln and would have had on its hands two wars at the same time. Had the German citizenship of the American Republic been emotional or excitable during this campaign of slander and libel, there would have been indignation meetings in every city and town of the Union, and this Republican Administration would have been burned in effigy in a thousand different communities. Every German American and all other Americans have been insulted and outraged by the Administration's refusal to tell the truth about Germany.

When the war with Spain was declared a committee of distinguished German citizens from the city of Chicago made a trip to our national capital and tendered to the President a regiment of Germans fully equipped for war. In consideration of this act alone of the German Americans this Republican Administration owed it to itself to make known through some one of its many mouthpieces the real relations between our Government and Germany. It will remain to be seen whether the German Americans will ever again ratify by voice or vote an Administration that has permitted this crime of misrepresentation and falsehood, of slander and libel, of venom and poison against the German character not only in Europe but the German character in America.

This indifference, persistent and perpetual, to the demands of the German press of America that the whole truth be told, can not and will not be forgotten. I shall not believe that it was the purpose of this Republican Administration to play into the hands of England and make our Republic vulnerable to the British navy, as suggested by the Evening Telegram, of Toronto, for that would

be to accuse it of treason. I shall not believe that it was its sole purpose to assist England in destroying German commerce, for there is ample evidence to convince the people that one purpose of this Administration was to keep the American mind deceived and excited with rumors of war, and thereby justify its régime of military and naval power.

It is rather strange, with all these assurances of prosperity, present and prospective, that so many thousands and tens of thousands of the parents who have political, social, and financial pull should be seeking places for their sons as lieutenants in the Army. Is it not extraordinary that all these sons of the powerful and influential classes, with such a dawning prosperity before them, should be begging and pleading for an appointment to a place in the Army such as that of a second lieutenant, at a salary of \$1,400 a year?

Is it possible that our Chief Executive in his campaign for a re-nomination in 1900 was willing by rumors of war to scare the American people into a large standing army? Is it possible that the Hull bill was framed for an army of 100,000 in order that the Chief Executive might have a few more thousand military appointments to parcel out to the sons of the influential classes, such as the editors and politicians. Is this the reason for the bluff from the White House threatening an extra session? Why was not the breath of that bluff used to tell the truth about Germany?

Is it not possible and probable that this Administration was taking advantage of the ignorance of the people so as to build up a political machine at the expense of the taxpayers by having army appointments distributed to the influential families in every city and town of the Republic? Is it not possible that this Republican Administration, in its visions of pomp and glory, saw that with such a marshaling of the powerful and influential there would always be in the future such a gigantic lobby and such a chorus of appeals for the maintenance and increase of the military establishment that the American Republic would necessarily go on in its career of empire, go on in its career of militarism, go on in its career of arrogance and greed until by its very gluttony it shall have followed the path and the history of the Roman, the Saracen, and the Spaniard in their careers of aggression and expansion?

If "knowledge is power," then ignorance is weakness. It is due to the ignorance in which the people were kept that so much of the war spirit was inflamed among them against Germany and other European nations. For these reasons the necessity increases to have the truth, the whole truth, and nothing but the truth brought out before the national and international juries.

It is becoming more and more apparent every day that a few men controlling the news agencies of the country may impose upon the entire Republic by falsehood with reference to conditions in remote parts of the earth and so prejudice the people that it may take years to overcome the pernicious effect and influence of the deception.

Witness, for instance, the difference between the accounts given by the Administration and the Spaniards as to Aguinaldo and those given by our own Vice-Consul-General Wildman and Consul Williams, at Hongkong and Manila.

Instead of promoting war with Germany, let us have an administration of public affairs that will encourage and extend a helping hand to Germany in her efforts to construct her cable of commercial and political friendship to America and her efforts to construct a network of cables throughout the world; and by way of indorsement and ratification of her efforts to enlighten the world let our Government construct and own its own cable to the Hawaiian Islands, and let it extend its instrumentalities for the most prompt and the most efficient and the cheapest possible dissemination of knowledge and truth not only to the Hawaiian Islands, but to every post-office and every school district in the United States.

As I understand it, we had to send our messages last summer to General Miles through French operators when he was directed to go to Porto Rico, and the world as well as the Spaniards knew of his orders almost as soon as he did. The Hawaiian Islands are now a part of this country, and the increased and increasing Navy that we propose to have will operate in oriental waters. For my part, I do not want to see any of our messages go through the hands of commercial agents nor by way of Hongkong or other foreign agencies, who will color and distort the news to deceive our people.

If we have difficulties in the Orient, if we have our Navy reporting at the Hawaiian Islands, I want men at the end of that cable who will be guilty of treason and can be shot for treason if the information gets into the hands of the Spaniards or any other foreigner with whom we may have a conflict. It seems to me that the little appropriation asked for here ought to be made. Gentlemen argue against it because the Government will have to operate it. We propose to expend \$2,000,000 on a post-office at Cleveland, and the Government will have to operate that. If we are going to connect these islands and make them a part of our Union, we can not do it by land and it ought to be done by a cable.

The best possible way to make a union with those islands is to have ourselves so united with them that we can have instantaneous communication, so that the Government, operating through its own agency, will be in instant communication between the Capitol at Washington and every remote island. The argument that this cable will be extended to Manila has no bearing now.

When the next Congress comes, and that question is up, we will meet it on its merits and decide it on its merits. The question at the present session, before this Congress, is whether we shall spend \$2,000,000 for subsidy to a private corporation or spend a couple of millions for the benefit of the whole people, and have the military and naval departments operating and owning the line. As for me and for mine, I am in favor of caring for the whole family and not merely for a favorite son. [Applause.]

Naval Appropriation Bill.

Cortes family, representing wealthy, educated families Manila, implore you in name humanity and Christianity not to desert them, and aid to obtain annexation Philippines to America. "Please see the President." ("Colonial wealthy Filipinos" to Senator HANNA, August 2, 1898; Senate Doc. 62, page 361.)

SPEECH

OF

HON. JOHN W. GAINES,

OF TENNESSEE,

IN THE HOUSE OF REPRESENTATIVES,

Tuesday, February 21, 1899.

The House having under consideration the bill (H. R. 12122) making appropriations for the naval service for the fiscal year ending June 30, 1900, and for other purposes—

Mr. GAINES said:

Mr. SPEAKER: The Government of the United States has the right, the power, the means, and the necessity is at hand, to erect a Government armor-plate factory and make our own armor plate. We are in the hands of a monopoly in peace, and would be with increased anxiety in their grasp in war.

Such a factory, whether or not we ever made a single plate, would make us independent. We could hold it as a standing threat that we would make our own plate, unless, if you please, the two firms, which have been making it good, bad, and indifferent, dealt fairly and justly with us. France, Russia, Spain, Japan, and Italy have government armor-plate factories. England has a "Government arsenal," where she makes her "war machinery" at a "cost of 50 per cent less than private firms will make it;" yet we know these private firms, without supplying the English Government contracts, are in a good financial condition.

The United States has several Government factories—Washington, Springfield, Mass., and Rock Island—where our small firearms are made; made better in every way and cheaper than can or will be made by private firms. We will soon have a Government smokeless-powder factory to overcome the monopoly now furnishing it. We hear no scandal as to the making of our small firearms. The reason is patent. If there was any fraud done in these factories, the officers, who to-day stand high and above reproach, would be subject to the heavy hand of military law, while private firms, however great the fraud, as I understand, would be subject to the civil courts only. The military officers have no selfish ends to promote; the private concerns have.

As the matter stands two firms, who openly swear they have not and will not compete with each other for our contracts, have furnished all of our armor plate, while foreign firms are prohibited from bidding on our contracts by the laws we make. Foreign governments let out their contracts to the lowest bidder, there being many private armor-plate factories in England and in Europe. Hence it is that those governments have at least what we can not and do not have as the matter now stands, open, sharp commercial competition in these contracts—though it is said they have combined with the Pennsylvania firms and "set" one price.

When the two Pennsylvania companies did compete for the Russian contract a few years ago what was the result? The Bethlehem Company furnished (and delivered in Russia) the very best armor plate at \$249 a ton, while we, at their mercy, have been paying them for the same plate about two and a half times as much plus the expense of testing the plates, while the plate that is tested being always, if the others are received, charged up to and made a loss to the Government of the United States. This dead loss is continuous and costly, the plates weighing from 10 to 15 tons; the largest 40 tons. These two Pennsylvania companies furnished, as stated, this plate at \$249 a ton to a foreign government and paid the cost of delivering at St. Petersburg,

while with us they refuse to compete, divide the jobs, set their price, and make our Government pay it—divide the spoils or make our ships go without plates.

An official examination by the Rohrer board, under Secretary Herbert, shows that the amount of "labor and material only" necessary to make a ton of this armor plate was \$167.30. They say they "think" that they lost money on this Russian contract at \$249; but when Secretary Herbert demanded of them to open their books to the public and show that they had lost money and to show the cost of making this armor plate they declined to do so, and have not done so to this day.

Now, shall these two companies, or any number of companies, continue to perpetuate this monopoly and enslave the great American people, jeopardize one of the nation's means of war? I say, no.

President Washington recommended, in his eighth annual address, the establishment of a military academy, giving his reasons at length, with the result that we have had for years West Point and Annapolis academies to educate in our own way, systematically, our soldiers for the Army and our sailors for the Navy.

President Lincoln, in his message of December 8, 1863, having had a varied and painful experience as to war ships through the unfortunate civil war, said:

The change that has taken place in naval vessels and naval warfare since the introduction of steam as a motive power for ships of war demands either a corresponding change in some of our existing navy yards or the establishment of new ones for the construction and necessary repair of modern naval vessels. No inconsiderable embarrassment, delay, and public injury have been experienced from the want of such governmental establishments.

Mr. Speaker, I have spoken of these matters on different occasions, and ever and anon I am given, from the most reliable sources, additional evidence that I am right in the position I take, which the Democrats are ready to assume—and have assumed—that we must have a Government armor-plate factory, let it be located where you may. Only recently I was informed from the very highest official authority, by a man who has studied this very subject disinterestedly, that by all means this factory should be built, even if it costs to the rise of \$1,500,000, as Secretary Herbert says, or at \$3,000,000, as the armor-plate factory board says it may cost with equipments.

My informant stated to me that with a Government factory we could easily make the same kind of armor plate we are using for \$250 a ton. He had no doubts about it, and I have his letter to that effect, but withhold its publication at his request. Our official records, I may add, are teeming with the same estimates from officials high in authority too numerous to mention, showing this is a fair price even now.

Our Regular Army should be equal, Mr. Speaker, to the needs of our Government; so should our Navy. The patriotic American is a natural-born warrior on land and sea, but unlike the soldier on land, who can walk or ride, the sailor must have ships upon which to sail and with which to fight; hence the Navy should be more carefully fostered, it seems to me, than that of a standing Army.

NO MILITARY GOVERNMENT.

It is contrary to the principles of our Government that ours should be a military government, a government that employs, like England, her army and navy to subjugate weak nations and acquire and govern thereby territory against the "consent of the governed." "Our war powers are defensive, not offensive." They are granted to defend what our Government and her citizens already have, and not for the purpose of adding more territory to our domain, nor to acquire more property for the individual. That the military was permitted to override the civil government was one of the reasons our forefathers objected to the mother country, renounced her control of us, and aided in planting the seeds that ultimately grew into our complete independence of her colonial yoke, making our country an asylum for the oppressed from all nations.

"The subordination of the military to the civil authorities of the country is an axiom with this Government," says Wirt, and so held by our forefathers, and our Cabinet officers, and by none with greater force than Felix Grundy of my own State. We can not afford to have it otherwise. We have prospered too long, guided by this humane principle, growing internally and expanding externally by peaceful enterprise, to now change them, selling as we do to-day to every civilized nation beyond our inadequate shipping capacity.

NO FORCIBLE ANNEXATION.

But, Mr. Speaker, there is a feeling abroad in the land, headed by the money sharks, that we must abolish these principles; that we must grow externally peaceably as we are, forcibly if we must. They believe that forcible aggression must be subrogated to peaceful competition; that "forcible annexation" is not "criminal aggression," that self-ownership is a delusion, that all people are not endowed with certain inalienable rights, nor with the right of self-ownership—the right of self-government—that the control of a people without their consent is right, and that governments

do not derive their just powers from the consent of the governed. And this, too, Mr. Speaker, in the face of the illustrious example that this country set a century ago, the example we made when we denounced and renounced British tyranny and said we could not be governed without our consent.

This, too, in the face of the illustrious example that we recently set when this Congress said, and President McKinley immediately approved:

Fourth. That the United States disclaims any disposition or intention to exercise sovereignty, or jurisdiction, or control, over said island, except for the pacification thereof, and asserts its determination, when that is accomplished, to leave the government and its control to its people.

OUR CODE OF MORALS.

On April 11, 1898, the President in a special message to Congress asked that body to give him power "to take measures to secure a full and final termination of hostilities between the Government of Spain and the people of Cuba and secure in the island the establishment of a stable government," etc. The President said:

In my annual message of December last, I said: "Of the untried measures there remain only: Recognition of the insurgents as belligerents; recognition of the independence of Cuba; neutral intervention to end the war by imposing a rational compromise between the contestants and intervention in favor of one or the other party. I speak not of forcible annexation, for that can not be thought of. That, by our code of morality, would be criminal aggression."

PRESIDENT'S OMISSIONS.

If the President desired to treat the Filipinos as we had declared we would and will treat the Cubans, why did not the President say so in the Protocol of August 13 then and there? Spain was at our feet, her forces crushed, her treasury bankrupt, with our victorious forces still in the field and sea, and our Treasury overflowing. Had he done so, the Filipinos would have continued our allies, our friends, and the present unfortunate war would have been averted.

Why did the President not advise Congress that it was not his purpose as Commander in Chief of the Army and Navy, or his policy as President, to treat the Filipinos unlike the Cubans? Why did not the President urge Congress to declare that it was the purpose of the American Government to treat Cuba and the Filipinos alike? Such action, such measures, would have avoided the existing war in the Philippines, just as it wrought peace in Cuba when the Spanish forces were crushed there, and especially so since the Filipinos being, Dewey says, more capable of self-government than the Cubans. But instead of this, article 3 of the Protocol provided that—

The United States will occupy and hold the city, bay, and harbor of Manila, upon the conclusion of a treaty of peace, which shall determine the control, disposition, and government of the Philippines.

It will be remembered that Dewey had telegraphed on May 4 to Secretary Long:

I control bay completely and can take city at any time, but have not sufficient men to hold.

Here Dewey admits that he did not and could not "hold" then the city of Manila.

SENATOR HANNA APPEALED TO.

His (President's) revolving policy is explained, at least in part, by a telegram to the "Hon. MARCUS HANNA, United States Senator, Washington," dated on "August 2, 1898," the very day before Mr. Cambon, the French minister and Spanish representative, was treating (August 3) with the President upon holding or not holding, and if so, how, the Philippines. This telegram is found in Senate Document No. 62, part 1, on page 361, and reads as follows, and as stated, is addressed to Senator HANNA:

Cortes family, representing wealthy educated families in Manila, implore you through Consul-General Wildman, in name of humanity and Christianity, not to desert them, and aid to obtain annexation Philippines to America. Please see the President.

"Desert them" not, they pray. How could the distinguished Senator "desert them," if he had not theretofore been with them in "spirit" favoring annexation? "Please see the President." They knew even 10,000 miles away whom to send to "see the President." The President, doubtless, was seen.

Consul Wildman incorporates this telegram in a communication (Sen. Doc., supra) to Senator HANNA, dated August 4, saying:

By request I have the honor to confirm the following telegram sent you on the 2d instant.

Then follows the Cortes telegram quoted above. Continuing, he says:

I may add in explanation of this telegram, that there is a large colony of wealthy Filipinos here who have been driven out of Manila, etc. They are people of education, as well as wealth, and are intensely loyal to the United States.

The Cortes family are particularly so, and they have contributed money liberally to aid Aguinaldo, on the understanding that he was fighting for annexation of the Philippines to the United States. Naturally I sympathize with them in their desire to become a part of the United States, and have advised them that you would give their cablegram your kindly consideration.

The President not only failed in treating the Filipinos as the Cubans in the Protocol, but named peace commissioners—five—all of whom were pronounced annexationists—peaceably, if we can; forcibly, if we must—save Senator GRAY. They were empowered

to settle the question after months of delay and heavy expense, which the President could have settled in the protocol, as with Cuba. He could have kept faith with his utterances to Congress that "forcible annexation can not be thought of. That, by our code of morality, would be criminal aggression."

"NOBLE SENTIMENT" EXPRESSED.

At a later date, October last, at Chicago, the President said:

The war with Spain was undertaken not that the United States should increase its territory, but that the oppression at our doors should be stopped. This noble sentiment must continue to animate us, and we must give to the world a full demonstration of the sincerity of our purpose.

What was our purpose? To free Cuba and not to increase our territory. To give Cuba, in fact, the right of self-government, and not to take it from them, which "noble sentiment," as the President said, "must continue to animate us." But, instead of continuing this "noble sentiment," or putting it into practical effect, giving to the "world a full demonstration of the sincerity of our purpose," what does the President at a still later date, in Atlanta, say?

OUR PRICELESS PRINCIPLES.

That flag has been planted in two hemispheres, and there it remains, the symbol of liberty and law, of peace and progress. Who will withdraw from the people over whom it floats its protecting folds? Will the people of the South help to haul it down?

February 17, in his address in Boston, the President said:

No imperial designs lurk in the American mind. They are alien to American sentiment, thought, and purpose. Our priceless principles undergo no change under a tropical sun.

The question is, What lurked in the President's mind when he failed in preparing the protocol to insist on treating the Filipinos as the Cubans, and when he appointed ultraannexationists peace commissioners, and when he omitted in his annual message, and in submitting the treaty to Congress, to urge the maintenance, of the "priceless" principle, of local self-government and ultimate independence of the Filipinos.

The President continues:

Our concern was not for territory or trade or empire, but for the people whose interests and destiny, without willing it, had been put into our hands. It was with this feeling that from the first day to the last not one word or line went from the Executive in Washington to our military and naval commanders at Manila or to our Peace Commissioners at Paris that did not put as the sole purpose to be kept in mind, first, after the success of our arms and the maintenance of our own honor, the welfare and happiness and the rights of the inhabitants of the Philippine Islands.

"Put into our hands," Mr. Speaker, the President says; but Dewey had wired the Department June 4 that the Filipinos were more capable of self-government than the Cubans, which being true, unless he desired permanent annexation, there is still less excuse for the protocol or treaty ignoring the ultimate independence of the Filipinos.

How can we teach them how to be free stripped of their freedom? How can a bird fly with its wings tied? The pupil may never equal the teacher; but let him try.

Macaulay well says:

Many politicians of our time are in the habit of laying it down as a self-evident proposition that no people ought to be free till they are fit to use their freedom. The maxim is worthy of the fool in the old story, who resolved not to go into the water till he had learned to swim. If men are to wait for freedom till they become good and wise in slavery, they may indeed wait forever.

DEWEY TOOK HIM TO CAVITE.

So certain was Dewey that they were capable of self-government that he sent for Aguinaldo, had him brought to Hongkong, thence to Manila, and then he, "Dewey took him," as Consul Wildman says, "to Cavite," 8 miles distant, the most strategic point in these islands, gave him war supplies, arms and ammunition, and permitted him to form a government and declare himself dictator, and later, president thereof. He permitted Consul Wildman, as Mr. Wildman says, "after the breaking out of the war with Spain, after consultation with Dewey," to assist Aguinaldo in "outlining" his proclamation, afterwards issued, and otherwise advised him about forming the government he afterwards set up.

This proclamation was issued April 24, three days after President McKinley called for 175,000 volunteers, and in that proclamation we find the spirit of self-government of the Filipinos expressed and a declaration that the North American forces there confessed that they were capable of self-government. I read a portion:

PROCLAMATION OF GENERAL AGUINALDO, MAY 24, 1898.

FILIPINOS: The great nation North America, cradle of true liberty, and friendly on that account to the liberty of our people, oppressed and subjugated by the tyranny and despotism of those who have governed us, has come to manifest even here a protection which is decisive as well as disinterested toward us, considering us endowed with sufficient civilization to govern by ourselves this our unhappy land. To maintain this so lofty idea, which we deserve from the now very powerful nation North America, it is our duty to detest all those acts which belie such an idea, as pillage, robbery, and every class of injury to persons as well as to things.

Shall the wealthy annexationists of Manila, joining with the mouthpiece of wealth and pelf in this country, dominate the President, dominate Congress, dominate the people, and dominate and say what is and shall be the law of this country, and say what is

and shall be the fundamental principles that shall control it in the future?

Shall the selfish interests of this country decree that the "self-evident truths" that the fathers exploited a century ago, portrayed in the Declaration of Independence, are no longer "self-evident truths" and no longer fit for our institutions and should no longer control us and our Government? Shall they override the very words of Jefferson and our forefathers who witnessed the faith that was in them when they wrote and lived up to these principles?

SELF EVIDENT TRUTHS.

Shall we now or hereafter deny "these truths to be self-evident:"

1. That all men are created equal.
2. That they are naturally endowed with certain inalienable rights.
3. That some of these rights are life, liberty, and the pursuit of happiness.
4. That governments are instituted among men to secure these rights.
5. That these governments derive their just powers from the consent of the governed.

6. That when any form of government becomes tyrannical, it is the right, it is the duty of the people to alter or abolish it.

7. And to institute a new government, laying its foundations on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

8. That it is "the right" of the oppressed, it is "their duty" to "alter or abolish" despotic governments, and to "provide new guards for their future security."

Shall any private interest be allowed to despoil these illustrious principles, despoil our political bible? If so, we must override the Declaration of Independence itself, which ordains that—

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive of these ends it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness.

But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States.

I say, Mr. Speaker, we are confronted with a question that I think is far above, far beyond, and far more sacred than the rights of any particular man, whether that man be Aguinaldo individually, or as a leader. That question is this: Shall we deny to the Filipinos the fruits of their efforts to "alter or abolish" the Spanish Government that for centuries has wrongfully and oppressively deprived them of "life, liberty, and the pursuit of happiness?"

Did not our forefathers say in a most sacred manner July 4, 1776, that it was "their right" and "their duty" to throw off the British yoke and institute a new government for their future security? And why? Because England deprived them of the very same "inalienable rights—life, liberty, and the pursuit of happiness"—that Spain has denied for centuries to the Filipinos, who were in open rebellion, fighting for these "rights," fighting for independence against Spain, months and years before our forces arrived at Manila, which is a fact admitted and is indisputable.

Dewey officially states that Spain was a "common enemy," the enemy of the Filipinos, the enemy of Cuba, which we were to free, and therefore the enemy of the United States. We all admit that the Filipinos, as such, had not offended our Government until recently, which I deplore.

AS OF THEIR OWN RIGHT.

Our forces were sent there to destroy the sovereignty of Spain and more particularly the Spanish fleet in Manila Bay, which Dewey was specially directed to do. But were our forces sent there to destroy the "right" of the Filipinos to "alter or abolish" the tyrannical Spanish government that had so long oppressed them? Were our forces sent there to interfere with the Filipinos in "their right," as it was "their duty," to strike down, to "alter or abolish" this government as of their own right?

No; on the contrary, as I will show, they were asked by our military and naval authorities—Dewey as early as April 24, and Anderson as late as July 1, 1898, to "cooperate" with them against the common enemy, the Spanish forces then in the Philippines, and they willingly did so.

But even if our forces were also sent there to destroy the "inalienable rights" of the Filipinos, to destroy the "right" to do "their duty" to themselves, must we, exercising the right of might, insist upon an act—that is, permanent annexation—which will destroy their self-ownership, their right of self-government and to independence? Must we commit an act which grinds into

powder the very same principles and rights for which our Revolutionary fathers fought, and upon which our independence is based and this liberty-loving Government is founded?

DEWEY AND AGUINALDO COOPERATE.

Remembering well the fact that long before, years before our forces arrived in the Philippines the Filipinos were exercising "their right," as it was "their duty," to "alter or abolish" this Spanish Government, let us open the official records and see exactly what our naval officials under Admiral Dewey and our land forces under General Anderson did toward asking for and receiving the "cooperation" of Aguinaldo and his insurgent followers, tracing the official records as near by dates as we can.

First. War was declared April 21.

Second. April 23 the President called for 175,000 volunteers.

Third. April 23 Consul-General Pratt at Singapore wired the "Secretary of State at Washington" this message:

General Aguinaldo gone my instance Kongkong; arrange with Dewey cooperation insurgents Manila.

This act could have been there and then easily repudiated, but it was not.

Fourth. April 24, Consul-General Pratt wired Dewey (through Consul Wildman) at Hongkong, as follows:

Aguinaldo, insurgent leader, here. Will come to Hongkong to arrange with commodore for general cooperation insurgents Manila, if desired. Telegraph.

Fifth. April 24, Admiral Dewey answered this telegram, as follows:

Tell Aguinaldo come soon as possible.

Sixth. April 24, Secretary Long cabled Commodore Dewey, as follows:

War has commenced between United States and Spain. Proceed at once to Philippine Islands. Commence operations at once, particularly against Spanish fleet. You must capture vessels or destroy them. Use utmost endeavors.

This gave Dewey full authority to act.

Seventh. April 26, Aguinaldo left Singapore, arriving at Hongkong May 2.

Eighth. April 27, Dewey's squadron sailed for Manila.

CONSULTED WITH DEWEY.

Ninth. Consul Wildman says that on "the breaking out of war, after consultation with Admiral Dewey, I received a delegation from insurgents' junta, and they bound themselves to obey the laws of civilized warfare and to place themselves absolutely under the orders of Admiral Dewey if they were permitted to return to Manila. At this time their president, Aguinaldo, was in Singapore, negotiating, through Consul Pratt, with Admiral Dewey for his return"—that is, Aguinaldo's return to Manila.

Tenth. Consul Wildman continues: "On April 27, in company with Consul Williams, we received another delegation," seven in number, giving their names. "We agreed, on behalf of Dewey, to let two of their number accompany the fleet to Manila." "On the same day I took" a ship with one of this 'company' with me "to the *Olympia*, in Mirs Bay." The *Olympia* is Dewey's flagship.

Eleventh. April 26, Aguinaldo left Singapore.

Twelfth. May 1, Dewey destroyed the Spanish fleet.

Thirteenth. "May 2, Aguinaldo arrived in Hongkong and immediately called on me" (Consul Wildman).

Fourteenth. May 16, "It was on May 16 before I could obtain permission from Admiral Dewey to let Aguinaldo go by United States ship *McCulloch*."

Fifteenth. May 19, Aguinaldo arrived in Manila on our war ship *McCulloch*.

Sixteenth. Consul Wildman says immediately on arrival of Aguinaldo at Cavite, where, I may add, Consul Wildman says "Dewey took him," he (Aguinaldo) issued a "proclamation" which I (Wildman) had "outlined for him before he left," that is, "after consultation with Dewey," we must infer Consul Wildman "outlined" this proclamation, and Wildman says:

Aguinaldo, of course, organized a government, of which he was dictator, & absolutely necessary step if he hoped to maintain control over the natives, and from that date until the present time (July 18) he has been uninterrupted successful in the field and dignified and just as the head of his government.

Consul Wildman (August 9) by letter says to Secretary Moore:

He (Aguinaldo) was in and out the consulate for nearly a month. . . . I acquired some influence with him. I have striven to retain this influence and have used it in conjunction with and with the full knowledge of both Admiral Dewey and Consul Williams.

Seventeenth. Wildman continues (July 18):

The insurgents are fighting for freedom from the Spanish rule and rely upon the well-known sense of justice that controls all actions of our Government as to their future.

Eighteenth. He says further:

In conclusion, I wish to put myself on record as stating that the insurgent government of the Philippine Islands can not be dealt with as though they were North American Indians, willing to be removed from one reservation to another at the whim of their masters. If the United States decides not to retain the Philippine Islands, its 10,000,000 people will demand independence,

and the attempt of any foreign nation to obtain territory or coaling stations will be resisted with the same spirit with which they fought the Spaniards.

Nineteenth. May 4, Dewey wired Secretary Long:

I control bay completely and can take city at any time, but have not sufficient men to hold.

He then needed soldiers.

Twentieth. Dewey wired the Secretary of War, Cavite, May 20 (Hongkong, May 24), as follows:

Aguinaldo, the rebel commander in chief, was brought down by the *McCulloch*; organizing forces at Cavite, and may render assistance that will be valuable. How many troops come here, Pekin? When expected to arrive?

This act could have been easily there and then repudiated by the Secretary of War or Navy, or the President, but no objection was made. You see Dewey still anxious for more troops.

Up to this date, May 24, 1898, we see what Dewey has done with Aguinaldo and allowed done by others whom he could have controlled. For the first time now the Department at Washington gives Dewey advices about cooperating with Aguinaldo.

FIRST ADVICE TO DEWEY.

On May 26 Secretary Long wired Dewey at Hongkong as follows:

You must exercise discretion most fully in all matters and be governed according to circumstances, which you know and we can not know. You have our confidence entirely. It is desirable, as far as possible and consistent for your success and safety, not to have political alliances with the insurgents or any faction in the islands that would incur liability to maintain their cause in the future.

This message is purely advisory, not prohibitory, leaving the whole campaign to the wise discretion of Dewey, which he had exercised under Secretary Long's telegram of May 24, saying:

Use utmost endeavors.

But Dewey continued his campaign of "cooperation" with Aguinaldo on the same lines after this message of May 26 as before, for see what he did three days thereafter.

Twenty-first. May 29 Dewey wired Secretary of Navy:

Steamer has just arrived from Amoy with 3,000 Mauser rifles and great amount of ammunition for Aguinaldo, whose forces are increasing constantly.

This could easily there and then have been repudiated; but it was not done, and four days thereafter—

Twenty-second. May 30 Dewey wires Secretary of Navy:

Aguinaldo, revolutionary leader, visited *Olympia* yesterday. He expects make a general attack on May 30, but doubt ability to succeed. Situation remains unchanged.

Admiral Dewey defends his action from the "beginning" by not changing his plans, and by saying he had "acted according to the spirit of Department's instructions from the 'beginning'."

Admiral Dewey, on June 3, from Cavite, wired Secretary Long as follows:

Receipt of telegram of May 26th acknowledged, and I thank the Department for the expression of confidence. I have acted according to the spirit of Department's instructions therein from the beginning, and I have entered into no alliance with the insurgents or with any faction.

Had Dewey permitted an alliance? is the question and must be, in the face of these indisputable and officially recorded facts.

On June 3 we find he says he "advised" the insurgents in a battle.

Twenty-third. June 12, Dewey wires the Secretary of the Navy:

There is little change in the situation since my telegram June 3. Insurgents continue hostilities; have practically surrounded Manila. They have taken 2,500 Spanish prisoners, whom they treat most humanely. They do not intend to take city proper until arrival of United States troops thither. I have advised.

The Department, it seems, fully informed that Dewey himself had formed no alliance, wondered possibly, as he still "advised" and actually aided Aguinaldo in battle, and sent a telegram June 14 to Dewey wanting to know what he had done—if no alliance had been formed. Secretary Long wires:

JUNE 14, 1898.

DEWEY (care American consul), Hongkong:

Report fully any conferences, relations, or cooperation, military or otherwise, which you have had with Aguinaldo, and keep informed the Department in this respect.

To this Dewey replied:

HONGKONG, June 27, 1898.

SECRETARY OF NAVY, Washington:

Receipt of telegram of June 14 is acknowledged. Aguinaldo, insurgent leader, with thirteen of his staff, arrived May 19, by permission, on *Nanshan*. Established self Cavite, outside arsenal, under the protection of our guns, and organized his army. I have had several conferences with him, generally of a personal nature. Consistently I have refrained from assisting him in any way with the force under my command, and on several occasions I have declined requests that I should do so, telling him the squadron could not act until the arrival of the United States troops. At the same time I have given him to understand that I consider insurgents as friends, being opposed to a common enemy. He has gone to attend a meeting of insurgent leaders for the purpose of forming a civil government.

Aguinaldo has acted independently of the squadron, but has kept me advised of his progress, which has been wonderful. I have allowed to pass by water recruits, arms, and ammunition, and to take such Spanish arms and ammunition from the arsenal as he needed. Have advised frequently to conduct the war humanely, which he has done invariably. My relations with him are cordial, but I am not in his confidence. The United States has not been bound in any way to assist insurgents by any act or promises, and he is

not, to my knowledge, committed to assist us. I believe he expects to capture Manila without my assistance, but doubt ability, they not yet having many guns. In my opinion, these people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races.

DEWEY.

Mr. Secretary Long, in his annual report of November, 1898, page 7, commending Admiral Dewey, says:

Admiral Dewey continued to exercise in the Philippines a wise discretion, which constantly strengthened the power of the United States in these islands.

This because, at least, Dewey had not formed any arrangement that would "incur liability to maintain in the future" by our Government, because Dewey believed, and had evidently convinced the Washington authorities, that the Filipinos were more "capable of self-government than the natives of Cuba," and therefore could "maintain" the government they had formed or would ultimately frame when peace was restored, without our assistance. On July 4, at Cavite, Dewey wired Secretary Long:

Insurgents still active.

Dewey wired, nine days later:

JUNE 13, 1898.

Aguinaldo informed me his troops had taken all of Subic Bay except Isla Grande, which they were prevented from taking by the German man-of-war *Irene*. On July 7 sent the *Raleigh* and the *Concord* there. They took the island and about 1,300 men, with arms and ammunition. No resistance. The *Irene* retired from the bay on their arrival.

In the face of these continuous acts of "cooperation" with Aguinaldo by Dewey, we have not heard nor can we find any remonstrance from the Department at Washington to Dewey since May 20, which we have read.

Consul Williams, in a "special" to Secretary Day, dated Manila, July 2, 1898, says that "General Anderson, with 2,500 troops, arrived June 30;" that General Anderson had "asked him to remain to treat with Aguinaldo as to American interests."

No repudiation is heard of as to this combined action. General Anderson, then in charge of the land forces, on July 4 asked Aguinaldo to "cooperate" with him.

HEADQUARTERS FIRST BRIGADE,
UNITED STATES EXPEDITIONARY FORCES,
Cavite Arsenal, Philippine Islands, July 4, 1898.

SEÑOR DON EMILIO AGUINALDO,
Commanding Philippine Forces, Cavite, Luzon.

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with us in military operations against the Spanish forces.

General Anderson left the United States on the *Charleston* about May 18 or 20, and must have been fully advised on what Dewey and our consuls had done in reference to Aguinaldo; yet as soon as he landed he asks Consul Williams to aid him with Aguinaldo, and requests Aguinaldo, July 4, to "cooperate" with him "against the Spanish forces."

To General Anderson's letter, Aguinaldo replied:

Brig. Gen. THOMAS M. ANDERSON,
Commanding the United States Volunteers.

GENERAL: Interpreting the sentiments of the Philippine people, I have the honor to express to your excellency my most profound gratefulness for the sympathy and amicable sentiments which the natives of these islands inspire the great North American nation and your excellency.

I also thank most profoundly your desire of having friendly relations with us and of treating us with justice, courtesy, and kindness, which is also our constant wish to prove the same, and special satisfaction whenever occasion represents.

I have already ordered my people not to interfere in the least with your officers and men, orders which I shall reiterate to prevent their being unfulfilled, hoping that you will inform me of whatever misconduct that may be done by those in my command, so as to reprimand them and correspond with your wishes.

I beg of your excellency to accept in return the assurance of my most respectful consideration.

I remain, respectfully,

EMILIO AGUINALDO.

On July 6 General Anderson asks Aguinaldo for his "advice and cooperation" in another line—that they "might move more promptly against the common enemy:"

HEADQUARTERS FIRST BRIGADE,
UNITED STATES EXPEDITIONARY FORCES,
Cavite Arsenal, Philippine Islands, July 6, 1898.

SEÑOR DON EMILIO AGUINALDO Y FAMY,
Commanding Philippine Forces.

GENERAL: I am encouraged by the friendly sentiments expressed by your excellency in your welcome letter received on the 5th instant to endeavor to come to a definite understanding, which I hope will be advantageous to both.

Very soon we expect a large addition to our forces, and it must be apparent to you as a military officer that we will require much more room to camp our soldiers, and also storeroom for our supplies. For this I would like to have your excellency's advice and cooperation, as you are best acquainted with the resources of this country.

It must be apparent to you that we do not intend to remain here inactive, but to move promptly against our common enemy; but for a short time we must organize and land supplies and also retain a place for storing them near our fleet and transports.

I am solicitous to avoid any conflict of authority which may result from having two sets of military officers exercising command in the same place.

I am also anxious to avoid sickness by taking sanitary precautions. Your

own medical officers have been making voluntary inspections with mine and fear epidemic disease if the vicinity is not made clean. Would it not be well to have prisoners work to this end under the advice of the surgeons?

I again renew my assurances of distinguished consideration.

I am, with great respect,

THOMAS M. ANDERSON,
Brigadier-General, U. S. Volunteers, Commanding.

On July 23, General Anderson wrote Aguinaldo as follows:

GENERAL: When I came here three weeks ago I requested your excellency to give what assistance you could to procure means of transportation for the American army, as it was to fight in the cause of your people. As you represent your people, etc.

The General making a requisition for stock which Aguinaldo aided in supplying.

General Whittier says that the natives failed the first day to come to his banner and Aguinaldo was discouraged, but Dewey persuaded him not to return to Hongkong, but try longer, and the second day the natives flocked to him.

When asked by Senator FRYE: "Were they (insurgents) of material assistance to us?" General Whittier replied:

Very great. * * * Every place had been taken from them (the Spanish) by the Filipinos, who managed their advances and occupation of the country in an able manner. * * * I talked with Spanish prisoners, * * * and they said they had had good treatment only. The wives of two officers had lately visited their husbands in jail * * * and gave the same testimony. Aguinaldo, in a letter of August 1 to our late consul at Manila, Mr. Williams, said: "Say to the Government at Washington that the Filipinos abominate savages; that in the midst of their past misfortunes they have learned to love liberty, order, justice, and civil life." I believe the natives to be brave under good leadership, most tolerant of fatigue and hunger, and amenable to command and discipline if justice and fair dealing rule. They are very temperate, as most of the natives of the East are. I have never seen a drunken one, and this with the example of our soldiers, whom they imitate in everything else. * * * Their skill in trades, occupations, and professions is very great. * * * I refer now to the common people, and so will omit very able lawyers, one or two having ranked as the very best of all nationalities in the Philippines, and the higher professions. As accountants they are excellent. In the custom-house sixty were employed during my administration. I visited three factories for the manufacture of cigars and cigarettes. * * * These working people seem to me of the best—quiet, diligent, skillful. The same qualities were apparent in the one cotton mill of the place.

General Greene says:

* * * Yet the service which it has rendered should not be underestimated. Between two thousand and three thousand troops surrendered to it during the months of June and July. It constantly annoyed and harassed the Spaniards in the trenches, keeping them up at night and wearing them out with fatigue. It invested Manila early in July so completely that all supplies were cut off and the inhabitants as well as the Spanish troops were compelled to live on horse flesh and buffalo meat, and the Chinese population on cats and dogs. It captured the waterworks at Manila and cut off the water supply.

These results, it is true, were obtained against a dispirited army containing a considerable number of native troops of doubtful loyalty. Yet from August, 1898, to April, 1897, the Filipinos fought 25,000 of the best regular troops sent out from Spain, inflicting on them a loss of over 150 officers and 2,500 men killed and wounded, and they suffered still greater losses themselves.

It is perfectly clear that there was a military alliance formed between our representatives and Aguinaldo for the freedom of Cuba and the Philippines. The former we begun to achieve, the latter the insurgents began to achieve, and both forces united and destroyed the common enemy (Spanish forces), without which there could have been no independence to either island, and the people of both islands are entitled to their independence.

Army Reorganization.

Congress has never expelled a member for accepting a volunteer commission.

Decisions of highest courts are that inhibition applies to permanent, not to temporary, positions.

The Attorney-General of the United States decides to the same effect.

Parliamentary leaders in effect sustain this view.

President Abraham Lincoln's writings show that his view was to the same effect.

SPEECH

OF

HON. JOSEPH WHEELER,

OF ALABAMA,

IN THE HOUSE OF REPRESENTATIVES,

Thursday, April 7, 1898.

The House having under consideration the Army bill—

Mr. WHEELER of Alabama said:

Mr. CHAIRMAN: I am surprised that any member of the House should oppose this bill. Its purpose is simply to provide for the modern organization of the Army so that, if our brave men are confronted by an enemy in action, its organization will be such as to attain the best possible results. To continue the obsolete organization, which has been abandoned and condemned by every civilized nation on earth, seems to me utterly inconsistent with the spirit of our people in this age of progress and civilization.

Having failed to print this speech in the RECORD at the time it was delivered, I avail myself of the opportunity extended to the members of the House of adding some remarks as to the proper construction of section 6, Article I, of the Constitution of the United States.

NECESSITY FOR THIS STATEMENT.

The reason for the imperative necessity of doing this will be quite apparent to members of the House. A few of its members have devoted much effort to creating the impression that this clause of the Constitution had been violated by four of their fellow-members, namely, Mr. ROBBINS of Pennsylvania, Mr. COLSON of Kentucky, Mr. CAMPBELL of Illinois, and Mr. WHEELER of Alabama. Each of these gentlemen had accepted temporary positions in the volunteer force in the war with Spain, and each contended that by so doing he did not lose the seat in Congress to which he had been elected by his constituents.

Those who sought to expel these four members from the House claimed that they were actuated by a very high regard for the Constitution, and these four members were subjected to the disparaging inference that they were wanting in respect for it. The injustice of this is so great that I feel impelled to enter a few words in defense. If I can show that, under a proper construction of the Constitution, and under the construction adhered to by Congress for a hundred and ten years, the position taken by my three fellow-members and myself is in no wise violative of that fundamental law; and if I can also show that the records of Congress prove that those who are so energetic in their efforts to expel their fellow-members have been much less devoted to the Constitution than myself, and have frequently permitted it to be violated without a word of protest on their part, I feel that I have done all in my power to relieve my colleagues and myself from the charge that we are wanting in proper respect and reverence for the Constitution.

The section of the Constitution referred to reads as follows:

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office.

It will be seen that this clause of the Constitution has two distinct inhibitions; first—

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created or the emoluments whereof shall have been increased during such time.

This applied solely to civil offices, and there is no inhibition regarding military offices. Second—

And no person holding any office under the United States shall be a member of either House during his continuance in office.

These words, taken in their strict sense, make no distinction between civil and military offices. The contention of certain members of the Judiciary Committee is that this clause inhibits any member of Congress from holding any United States office whatever even for a single day. On the other hand, it is contended, first, that the framers of the Constitution could have had no more reason for exempting the military offices in the first clause than they had in the second, and such persons contend that the word "such" is understood, and that the framers of the Constitution meant this clause to be construed as though it read as follows:

And no person holding any such office under the United States shall be a member of either House during his continuance in office.

Others, with much greater force, contend that the offices referred to in both clauses of the Constitution only contemplate those of a permanent character or which continue for a fixed period, and did not refer to offices, whether military or civil, which continue only for a limited and uncertain period. Others contend that this clause of the Constitution is only directory, and that each Congress must determine for itself whether or not it would exercise its power to expel a member who had accepted a temporary office either of a civil or military character.

THE LEGAL CONSTRUCTION.

The highest courts of our country have rendered decisions insisting that in construing any clause of the Constitution, we must construe it in connection with all the other clauses of that instrument, and when it is possible to give a construction to one clause so that it will harmonize and not conflict with other clauses, it should be done. Now, the Constitution contains four paragraphs regarding militia, showing that all the people of the United States were expected to rally to the defense of the country when necessary, and the Constitution does not provide any exemptions whatever.

It would not do to contend that the framers of the Constitution meant to provide that Congressmen who are members of the militia would forfeit their seats if they were called out in a temporary emergency, and it will not do to answer this by saying that Congress has the power to exempt themselves from militia duty.

Therefore it shows that Congress has been wise and judicial in holding as it has for one hundred and ten years that a temporary volunteer appointment was not that kind of an office which the Constitution referred to when it inhibited members of Congress from accepting offices. It shows that the courts were right in putting this construction upon the Constitution, and it shows that the Attorney-General of the United States was right in adopting such a construction.

United States Digest, volume 12, page 740, cites many decisions for the construction of statutes. Page 740 says:

The great fundamental rule in construing statutes is to ascertain the intention, and to attain this object every part of a statute must be viewed in connection with the whole.

This principle of law is laid down in 23 decisions of various supreme courts. In the case of Beale vs. Hale (U. S. Digest, page 742), 4 How., page 37, it says:

Statutes which apparently conflict with each other are to be reconciled, as far as may be, on any fair hypothesis, and validity given to each, if it can be.

This shows that it is the duty of Congress to reconcile the clause of the Constitution which makes everyone a member "the militia with the clause of the Constitution which we are considering. To comply with this rule of construction it is necessary to construe the word "office" as an office of a permanent and not of a temporary character.

Bouvier's Law Dictionary, edition of 1897, page 417, says:

In construing a statute, if it be of doubtful import, the courts will adopt a long-continued construction put upon it.

As during the one hundred and ten years of our Government Congress has never unseated a member because he accepted a temporary appointment in the volunteers, therefore, under this ruling, even admitting that the clause of the Constitution is doubtful, it is the duty of Congress to adopt and follow the construction which has so long been put upon it by Congress.

The records of the present Congress show that 39 of its members have been appointed to civil offices and 4 of its members appointed to military offices, most of the offices having been created by the present Congress, and therefore each of those appointed to a civil office which has been created by the present Congress is subject to the inhibitions of both clauses of the Constitution. An examination of the records of Congress shows that members of preceding Congresses have been appointed to military and civil offices almost to the same extent as has been done in this Congress. This would make 2,355 members of Congress appointed to either military or civil offices during the one hundred and ten years of the existence of our Government; but as some of the preceding Congresses had fewer members, they may have made fewer appointments of this character.

CONGRESS HAS NEVER UNSEATED A MEMBER BECAUSE HE ACCEPTED A TEMPORARY VOLUNTEER COMMISSION.

I have carefully examined this question, and find that in the whole history of our Government no member has been expelled or deprived of his seat in consequence of his having accepted an office, except in the single case of Van Ness, in 1802, and this gentleman was appointed to and accepted an office of a permanent character, which would continue during his entire life. I assert with absolute confidence that during these one hundred and ten years no member has been deprived of his seat because of the acceptance of a civil office of a temporary character or of a military office in the volunteer service of the United States. I insist that this, having been the uniform practice of our Government for one hundred and ten years, including the time when many of the members of the Senate and the House were those who framed the Constitution, establishes a construction which is as binding upon Congress as the same number of decisions of courts would be upon a court which was now called upon to decide a question of law.

No one reveres the Constitution more than myself, and I could not be induced to advocate a construction contrary to the intent of its framers.

When I received the appointment as a major-general of volunteers last May, I was requested by persons whose desires I could not disregard not to resign my seat in Congress. I found that during the present Congress 38 of its members had been appointed to offices, and that none of them had resigned their seats in Congress.

I examined the decisions and precedents on the subject and found that during the one hundred and ten years of the existence of our Government hundreds, and possibly thousands, of members of Congress had accepted offices during their terms, and that none of them holding a temporary office like mine had ever been unseated. I found that the decisions of courts, even including four decisions quoted by General HENDERSON in his report, took the ground that inhibitions found in constitutions with regard to offices referred to offices of a permanent character and not of a temporary character. I also found that the Attorney-General of the United States had rendered an elaborate opinion on this subject, in which he took precisely the same ground, and held that an

office in the volunteers was not such an office as was inhibited by the Constitution.

Had this question been brought before the House and fully discussed, I am confident that the decision would be in harmony with the spirit of the Constitution.

MUST CONSTRUCE CONSTITUTION SO AS TO INCREASE REVERENCE FOR IT.

Men who served in the Spanish war will no doubt very largely fill positions in the National Guard of the various States. They are progressive men, and many of them will be elected Senators and Representatives.

Now, if such an officer were elected to be a Senator, and after qualifying as such the command to which he belonged were called into active service by the President, even though such service occupy but a few months or a few weeks or a few days, and even although this officer had five years as Senator still to serve, the position taken by the committee would declare his seat in the Senate vacant.

We have had and still have many Senators and Members of the House who hold commissions as officers of the National Guard of their respective States. Under the Constitution the President may call them into the service of the United States at any time, either "to execute the laws of the Union," or "to suppress insurrections," or "to repel invasions."

Now, if a Senator should be called into service for any of these reasons, even although it be during a recess of the Senate, and even though the duty occupy but a single week or even a single day, the position taken by the majority of the Judiciary Committee is that his seat in the Senate would thereby become forfeited.

So extreme a construction as this was not what was intended by the framers of the Constitution. This construction would require such an officer of the National Guard, when ordered out to fight the enemy of his country, to either be subjected to the mortification of resigning and leaving his command while confronting the enemy or else to lose his seat in the Senate of the United States. The construction that would require this would shock the American people. General Grant said: "In order to make a law odious, construe it very strictly." I say that in construing the Constitution we must take care to put such a construction upon the clauses of that sacred instrument as will increase reverence for it, and not put such a construction upon it as could by any possibility make it odious to the American people.

Any member of Congress or judicial officer who, by virtue of his office, has the power to construe the Constitution, and who places such a construction upon it as would work injustice and unnecessary hardship and by such action shock the ordinary honest mind and cast odium upon the Constitution, is the worst possible enemy to the Constitution of our country.

COMMITTEE ERRED IN THEIR STATEMENT OF THE FACTS IN THE YELL CASE.

The report of the Judiciary Committee of the House, page 58, says:

Archibald Yell, of Arkansas, was elected to the Twenty-ninth Congress, and took his seat. In July, 1846, he accepted a commission as colonel of volunteers authorized by act of Congress approved May 13, 1846. His commission was issued by the authorities of the State of Arkansas, but he and his command were mustered into the service of the United States, and he came under the authority of the United States and drew his pay from the General Government. In December, 1846, Thomas W. Newton was elected to fill the vacancy alleged to exist by reason of said facts. Newton appeared and claimed the seat. Yell did not appear, neither did he formally resign. The committee reported the following:

"Resolved further, That Thomas W. Newton is entitled to a seat as a member of this House from the State of Arkansas."

When it appeared that Mr. Yell had accepted his commission and been mustered into the service of the United States, all opposition to the resolution was withdrawn and it was adopted.

It seems remarkable that so eminent a committee could have committed so grave an error. The House of Representatives refused even to consider the report.

As this is a case upon which the gentleman from Texas [Mr. BAILEY] and the gentleman from Alabama [Mr. UNDERWOOD] laid great stress, I will go to some length in stating the facts in this case.

Arkansas had but one member of Congress, and Colonel Yell was that member. On November 7, 1846, the Government notified the legislature of Arkansas that unless Colonel Yell's seat was declared vacant and a new election held Arkansas would have no representation whatever in the House of Representatives. On November 11 a resolution was offered calling upon the governor to order an election, and it was asserted that interests vital to Arkansas were pending in Congress which made it necessary that that State should be represented. Notwithstanding the great necessity for having a member of Congress in the House, the feeling against interfering with Colonel Yell was so strong in Arkansas that a motion to table the resolution only failed by 5 votes, 34 being cast for tabling and 39 against it.

At that time Colonel Yell was in central Mexico, far removed from communication with his country, and therefore absolutely unable to give any attention to legislation which affected Arkansas. An election was ordered, and on February 8 Mr. Newton was elected and presented himself to Congress. George S. Hous-

ton, who had long served as chairman of the Ways and Means Committee and also of the Judiciary Committee, opposed the seating of Newton, as he stated that if Colonel Yell presented himself he would be entitled to take his seat and proceed with the business of Congress.

GOVERNOR HOUSTON, OF ALABAMA, CONTENDED THAT YELL'S SEAT WAS NOT VACATED.

Governor Houston insisted (vol. 17, p. 339, Congressional Globe) that Mr. Yell was still a member of the House, and also insisted that the action of the House in that very session, in welcoming Colonel Baker back from Mexico and permitting him to resume his seat and perform his duties, conclusively authorized a member to accept a volunteer commission and to retain his seat in the House.

When Thomas M. Newton appeared and asked to be seated in the place of Colonel Yell, Mr. Newton contending that Yell had forfeited his seat by becoming a colonel of volunteers, Governor Houston opposed allowing Newton to be seated. He said:

The action of this House itself must preclude the gentleman who now presents his credentials from taking his seat, at all events, for the present.

The gentleman from Illinois [Mr. Baker], after being absent during a part of the last session and about half of this, presented himself here, took his seat, and resumed the discharge of all his official duties. The House then sanctioned the principle that Mr. Baker, after serving in the Army for months, and still retaining his commission, was entitled to his seat as a member of this body.

The gentleman took his seat, discharged his duties, received his emoluments, and did everything that was incumbent on him to do in the capacity of Representative of the people. How, then, can the House now turn round, on the precedent which it has itself established by its own solemn act, and admit another member from the State of Arkansas? I regret that this question has been presented, and I feel bound, under the circumstances of the case, and especially after the observations of the gentleman from New York, to take the course which my remarks indicate. Let what will come, I shall endeavor to carry out the principles of the Constitution. (Congressional Globe, vol. 17, p. 339.)

It will be seen that such a profound lawyer and experienced legislator as George S. Houston, who served twenty years in Congress, and also in the Senate of the United States, and who was also twice governor of Alabama, contended that, under the proper interpretation of the Constitution, Mr. Yell was entitled to retain his seat.

Finally, upon it being represented that the interests of Arkansas were involved, Newton was allowed to take a seat pending the investigation of the matter by the Committee on Elections. Two weeks from that date Yell was killed in the battle of Buena Vista.

Notwithstanding this, the House resisted every effort to unseat Colonel Yell or to confirm the contestant, Thomas W. Newton, in his seat. In the last hours of Congress this effort was repeated.

I read from Congressional Globe, second session Twenty-ninth Congress, volume 17, March 3, 1847, page 573:

Mr. McLaughy rose to a question of privilege. He moved to take up the report and resolutions of the Committee on Elections in regard to the right of Edward D. Baker and Thomas W. Newton to seats as Representatives in the Twenty-ninth Congress.

The first resolution declares that Edward D. Baker has not been entitled to a seat as a Representative since his acceptance of an appointment in the volunteer service.

The second resolution declares that Thomas W. Newton is entitled to a seat as the Representative from the State of Arkansas.

The question was put, and the House refused to take up the report and resolutions.

This proves beyond question that, so far from the resolutions being adopted, as contended by the committee, the House, on the eve of adjournment, refused even to consider the resolutions.

COMMITTEE ERRED IN THEIR STATEMENT OF THE FACTS IN THE BAKER CASE.

Page 59, report of the Judiciary Committee, says:

E. D. Baker, then of Illinois, afterwards Senator from Oregon and colonel in the Union Army, a member of the Twenty-ninth Congress, accepted and exercised the office of colonel in the volunteer service of the United States (war with Mexico), and drew his compensation as such. At the commencement of the controversy he resigned his seat, and no vote was taken.

I have quoted from the Congressional Globe of March 3, 1847, showing that at the close of this controversy Mr. McLaughy regarded Mr. Baker as still a member of that body, and that, in the very last moments of the Congress of which Mr. Baker was a member, he sought the adoption of a resolution which had been reported by the Committee on Elections, the purpose of which was to declare that Edward D. Baker was not a member, but that Congress refused to consider it. This is hardly consistent with the above expression in the report of the Judiciary Committee.

Colonel Baker afterwards became a United States Senator from Oregon, and while a member of the Senate was appointed in 1861 colonel in the volunteer forces. During the fall of 1861 he was sometimes in his seat in the Senate and sometimes with his regiment in the field, he occasionally appearing in the Senate in full uniform. No effort was ever made to unseat him, and he was finally killed in battle while still a member of the Senate.

COMMITTEE ERRED IN THEIR STATEMENT OF THE FACTS IN THE BLAIR CASE.

The report of the Judiciary Committee, page 59, says:

The question was again up in the case of Gen. Frank P. Blair, of Missouri (first session Thirty-eighth Congress, see Report No. 110). General Blair was

elected in the fall of 1862. The Thirty-eighth Congress did not organize until December, 1863. General Blair continued to hold his commission as major-general in the volunteer service of the United States and perform his duties as such commissioned officer after that date, and his seat was declared vacant, although he resigned his commission before taking his seat.

The statement by the majority of the committee that Mr. Blair was put out of Congress on account of his being a major-general in the Army is a mistake.

It is true that Mr. Blair handed his resignation to the President in December, 1863, but it was done upon condition that he could withdraw it at any time; and on April 23, 1864, he did withdraw it.

General Blair then left Congress, where he had been sitting for nearly four months, and went to Georgia and took command of the Seventeenth Army Corps, under General Sherman.

General Blair, however, retained his seat in Congress until June 10, 1864, when he was contested out of his seat by Samuel Knox.

The history of this contested election case is as follows:

SAMUEL KNOX VS. FRANCIS P. BLAIR.

Frank Blair, Democrat, claimed the election over Samuel Knox, Republican, by 153 votes. Knox contested the election, a great deal of evidence was taken, and the case was argued. (Vol. 52, Congressional Globe, pages 2850, 2855, 2857, 2859.) The committee reported that Blair was defeated, and that Knox's true and honest plurality was 49 votes. The Republicans on the committee favored Mr. Knox and the Democrats made a minority report, signed by the Democrats on the committee, Daniel W. Voorhees, John Ganson, and Jas. S. Brown. The majority and minority reports are to be found in Contested-Election Cases, 1834-1865, pages 523 to 550, inclusive.

On June 10, 1864, the House, by a vote of 81 against 33, seated Mr. Knox and unseated General Blair. It was a party vote. It was specially stated, while the case was up (page 2855), that an effort had been made to invalidate his seat on account of his holding a military commission, and that that effort had failed, and it also stated that the only question then was as to whether Mr. Knox or Mr. Blair had received the greater number of votes. The majority report was upheld by every Republican on the committee, and the minority report was signed by Daniel W. Voorhees, John Ganson, and James S. Brown, all of whom were Democrats, and the only Democrats on the committee. The resolutions voted upon were:

Resolved, That F. P. Blair is not entitled to a seat as a Representative in the Thirty-eighth Congress from the First Congressional district in Missouri.

The second resolution was that—

Samuel Knox is entitled to a seat in this House as a Representative from the First district in Missouri.

The vote upon this resolution unseating Frank P. Blair was strictly partisan.

The vote in favor of Blair was as follows—every vote being that of a Democrat, except that of Jacob Blair, who, I understand, was his relative:

Allen, Wm. J. (D.),	Ganson (D.),	Rawlings, Jas. S. (D.), Mo.
Allen, Jas. C. (D.),	Griswold (D.), N. Y.	Ross (D.), Ill.
Ancona (D.) Pa.	Herrick (D.),	Steele, Jno. B. (D.), N. Y.
Blair, Jacob (R.), W. Va.	Johnson, Wm. (D.), Ohio	Styles (D.), Pa.
Bliss (D.), Ohio	Kalbfleisch (D.), N. Y.	Sweet (D.), Me.
Brooks (D.),	Knapp (D.), Ill.	Thomas (U.), Md.
Brown, Jas. S. (D.),	Leblond (D.), Ohio	Webster (U.), Md.
Chanler (D.),	Long (D.), Ohio	Wheeler (D.), Wis.
Dawson (D.), Pa.	Marsey (D.), N. H.	White, Jos. W. (D.), Ohio
Eden (D.), Ill.	McDowell (D.), Ind.	Winfield (D.), N. Y.
Eldridge (D.), Wis.	Noble (D.), Ohio	

It is true that on June 29, 1864, nineteen days after Gen. Frank Blair was contested out of Congress by Knox, that Mr. Dawes called up a resolution which provided that General Schenck—

was not, by reason of having held such office (that of a major-general in the Army), disqualified from holding a seat as a Representative in the Thirty-eighth Congress.

The same resolution went on to say that Francis P. Blair, jr., did disqualify himself to hold such office. This was passed without one word of discussion or explanation, and it probably was not noticed that this resolution included any reference to Blair. Blair had not been acting as a member of Congress since the preceding April 23. He had been commanding the Seventeenth Army Corps in Georgia, and on June 10 had been ousted from Congress by virtue of an election contest in which Samuel Knox had been his successful contestant. Therefore this is no precedent, because Congress had no jurisdiction to act upon a resolution regarding a man who was in no wise connected with that body.

Again, it is by no means certain that the resolutions were read except by their title. They appear in the Globe, page 3389, and following them are these words:

The previous question was seconded, the main question was ordered, and, under the operations thereof, the resolution was agreed to.

Had the members of the House known that the resolution did any more than to declare Schenck entitled to his seat, it is very probable that attention would have been called to it.

I think the Judiciary Committee are very unfortunate in their

citation of the Schenck case and the Blair case to sustain their contention.

The facts in these cases are as follows:

HOUSE REFUSED TO UNSEAT GENERAL SCHENCK.

Gen. Robert C. Schenck was appointed a brigadier-general May 7, 1861, and a major-general August 7, 1862, and served as such. In November, 1862, he was elected a member of the Thirty-eighth Congress, his term commencing March 4, 1863. He served in the Army until December 5, 1863, when he entered Congress, still holding a commission, but as a matter of fiction filed his resignation with the Secretary of War and the Executive, with the distinct understanding that he might at any time during the session, at his own pleasure, withdraw his resignation and return to the field.

He therefore sat as a member of Congress, still holding a commission as a major-general. This is Mr. Lincoln's statement, and General Schenck admitted that there was an understanding that he could return to the service with the same rank and date, and this could only be done by withdrawal of his resignation.

PRESIDENT LINCOLN'S MESSAGE SHOWS THAT HE BELIEVED A MEMBER OF CONGRESS COULD ACCEPT A VOLUNTEER COMMISSION.

Mr. Lincoln says that later, in December, the same plan was adopted with regard to Gen. Frank Blair, and admits that General Blair's commission was held in abeyance, and that on April 23, after serving actively in Congress for nearly five months, General Blair withdrew his resignation and returned to the Army. President Lincoln's message to Congress on these subjects is as follows:

To the House of Representatives:

In obedience to a resolution of your honorable body, a copy of which is hereby returned, I have the honor to make the following brief statement, which is believed to contain the information sought:

Prior to and at the meeting of the present Congress, Robert C. Schenck, of Ohio, and Frank P. Blair, jr., of Missouri, members-elect thereto, by and with the consent of the Senate, held commissions from the Executive as major-generals in the Volunteer Army. General Schenck tendered the resignation of his said commission and took his seat in the House of Representatives at the assembling thereof, upon the distinct verbal understanding with the Secretary of War and the Executive that he might at any time during the session, at his own pleasure, withdraw said resignation and return to the field. General Blair was by temporary agreement with General Sherman in command of a corps through the battles in front of Chattanooga and in the march to the relief of Knoxville, which occurred in the latter days of December last, and, of course, was not present at the assembling of Congress. When he subsequently arrived here, he sought and was allowed by the Secretary of War and the Executive the same conditions and promise allowed and made to General Schenck.

General Schenck has not applied to withdraw his resignation, but when General Grant was made Lieutenant-General, producing some change of commanders, General Blair sought to be assigned to command of a corps. This was made known to Generals Grant and Sherman and assented to by them, and the particular corps for him designated. This was all arranged and understood, as now remembered, as much as a month ago, but the withdrawal of General Blair's resignation and making the order assigning him to the command of a corps were not consummated at the War Department until last week, perhaps on the 23d of April, instant. As a summary of the whole, it may be stated that General Blair holds no military commission or appointment other than herein stated, and that it is believed he is now acting as major-general upon the assumed validity of the commission stated, and not otherwise. There are some letters, notes, telegrams, orders, entries, and perhaps other documents in connection with this subject which is believed would throw no additional light upon it, but which will be cheerfully furnished if desired.

ABRAHAM LINCOLN.

APRIL 23, 1864.

This message from President Lincoln, and letters written by him, show that, in his opinion, a member of Congress did not vacate his seat by accepting a temporary appointment in the volunteer service.

HOUSE ALLOWED GENERAL BLAIR, WITHOUT OBJECTION, TO PERFORM ALL DUTIES IN THE HOUSE DURING A PERIOD OF SEVENTEEN MONTHS WHILE HOLDING A COMMISSION IN THE ARMY.

Frank P. Blair, jr., was elected a member of the Thirty-sixth Congress. He was afterwards elected member of the Thirty-seventh Congress, the first session of which commenced July 4, 1861, and the last session ended July 3, 1863. He was elected to the Thirty-eighth Congress, the first session of which commenced December 7, 1863. He was appointed a colonel July 7, 1862, and on November 29, 1862, was appointed a brigadier-general, and on the same date a major-general. He continued to perform the duties of a Congressman or a general until April 23, 1864, when he left Congress to take command of the Seventeenth Army Corps, under General Sherman, and on June 10 was contested out by Samuel Knox, as before stated.

I believe that these are the only cases in which the committee or anyone else contends that Congress has unseated members in consequence of their having accepted commissions as volunteer officers of the United States Army.

I have clearly shown that the committee were misinformed and committed an error in stating that the House of Representatives unseated any of these members for the reason that they had accepted military commissions.

The House refused to unseat Baker, Yell, and Schenck, and the RECORD shows that Blair was unseated by Knox because Knox got the most votes.

It would take up too much space to enumerate the great number

of cases in which Congress refused to unseat members because they had accepted offices in the volunteer service.

During the war of 1812 many members of Congress accepted military offices, and no question was raised in the House.

CASE OF ROBERT BUELL PORTER.

A notable case was that of Gen. Robert Buell Porter, who was a member of Congress during 1812 and to March 3, 1813, and during his entire term was a general in the Army, and Congress not only did not declare his seat vacant, but they passed a resolution tendering him their thanks.

The Historical Register of the United States Army, 1787-1889, page 528, states:

Porter, Robert Buell: Major-general Vols., '12 to '15; presented with a gold medal under joint resolution of Congress of 13 November, '14, in testimony of the high sense entertained by Congress of his gallantry and good conduct in the several conflicts of Chippewa, Niagara, and Erie, U. C. (See Annals of Thirteenth Congress, volume 3, October 17, page 28; October 19, page 29; October 24, page 31; October 27, page 34.)

In the Mexican war Archibald Yell, of Arkansas, and Edward D. Baker, of Illinois, each accepted positions as colonels in the Army, and Congress refused to unseat them.

COMMITTEE ERRED IN THEIR STATEMENT OF THE FACTS IN SEVERAL CASES.

I called the attention of the committee to the fact that on July 12, 1861, Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson, of Pennsylvania; Charles J. Biddle, of Pennsylvania; Samuel R. Curtis, of Iowa, and James H. Campbell, of Pennsylvania, were all members of Congress and were all holding commissions as officers of volunteers, and that a resolution to unseat them was tabled by a vote of 92 yeas to 51 nays.

The Committee on the Judiciary, in disposing of these cases, say, pages 59 and 60:

It may be claimed that an exception is found in the action of the Thirty-seventh Congress when on July 12, 1861, Mr. Vallandigham offered the following resolution:

"Whereas it is rumored that Gilman Marston, of New Hampshire; James E. Kerrigan, of New York; Edward McPherson and Charles J. Biddle, of Pennsylvania, and Samuel R. Curtis, of Iowa, holding seats in this Congress as members thereof, have been sworn into the military service of the United States and hold military offices under the authority of the same; and

"Whereas James H. Campbell, of Pennsylvania, also holding a seat in this House as a member thereof, has admitted upon the floor of this House that he has been so sworn and does so hold office as aforesaid: Therefore,

"Resolved, That the Committee of Elections be instructed to inquire, and without unnecessary delay to report, whether the gentlemen above named, or any others claiming or holding seats as members of this House and at the same time holding any military office under the authority of the United States, are constitutionally disqualified to be members of this House by holding such military office."

This resolution upon its introduction was discussed and the facts denied, and on motion was laid on the table without being sent to the Committee on Elections or to any other committee. It was laid upon the table by a vote of 92 yeas to 51 nays.

I assert that the committee are utterly mistaken in saying that the facts were denied.

I have read the discussion in these cases very carefully from beginning to end. It is found in the Congressional Globe, volume 45, pages 92, 93. It is true that Colonel Campbell, who was then in his seat, while he admitted he was at present serving in the Army of the United States, contended that his commission as colonel came from the governor of Pennsylvania, and Mr. Curtis stated that he was commissioned by the governor of Iowa and that he was—

loaned for the time being to the United States; loaned for the purpose of sustaining the national flag; loaned to the United States for the purpose of sustaining the absolute supremacy of the laws.

No question was raised and no denial of any character was made as to the status of Gilman Marston, James E. Kerrigan, Edward McPherson, or Charles J. Biddle.

OTHER ERRORS OF THE JUDICIARY COMMITTEE.

The committee then proceeded to discuss this action of the House of Representatives, which was so diametrically opposed to their views, and, probably or possibly in order to break its force, stated:

It should be borne in mind also that notwithstanding this action the same Congress, as shown in this report, laid down the doctrine that military officers of the United States could not at the same time be members of the House.

This statement of the committee is contrary to the facts. I thoroughly examined the records of the Thirty-seventh Congress and found that this Congress did not lay down any doctrine that a military officer of the United States could not be at the same time a member of the House; and this statement is also erroneous in this, that this report does not show that the Congress which defeated the Vallandigham resolution ever took such action.

That a committee should commit such error can only be explained by the assumption that they were overburdened with business.

In General Vandever's case, that Congress refused to lay down such a doctrine, notwithstanding that his seat was warmly contested by Byington.

VANDEVER WAS NOT UNSEATED.

The next case was the Vandever case. It seems that General Vandever, while a member of Congress, accepted a position as colonel in the Volunteer Army. His seat was contested by Byington.

It is true that the House passed a resolution that he was not entitled to his seat, but the record shows that this vote was reconsidered, the case postponed and never acted upon. The fact that the House reconsidered their action shows that they regarded the action as wrong and hastened to repudiate it, and the result was that Colonel Vandever was not deprived of his seat. With regard to this case the Judiciary Committee say, pages 58 and 59:

In the Thirty-seventh Congress (second session, April, 1862), the case of Byington vs. Vandever arose. Vandever was duly admitted to his seat, having been elected in 1860. Mr. Vandever raised a regiment of volunteers in the State of Iowa pursuant to the act of Congress, and August 30, 1861, was appointed colonel of the Ninth Iowa Volunteer Infantry, being commissioned by the governor of Iowa, and September 21, 1861, he was mustered into the service of the United States and continued in such service thereafter, and was in the service when the question was raised of his right to a seat or whether he was a member of the House.

The following resolution was reported, and adopted without division:

"Resolved, That William Vandever has not been entitled to a seat as a member of this House since he was mustered into the military service of the United States as colonel of the Ninth Regiment of Iowa Volunteer Infantry, to wit, since the 24th day of September, A. D. 1861."

Mr. Dawes, in Report 210, says this was afterwards reconsidered and postponed to a day certain, but never reached.

It will be seen here that the committee admit that this resolution was reconsidered.

The Journal of the Thirty-seventh Congress, third session, page 213, shows that the Vandever case was called up and motion was made to postpone, which was disagreed to. Then in three lines a statement appears that the resolution dismissing Vandever was agreed to by a viva voce vote. Mr. Maynard immediately made the point that this required a two-thirds vote. On page 218 the House, by a yeas-and-nays vote, reconsidered this viva voce vote. On page 219 the House, by a yeas-and-nays vote, postponed consideration of the Vandever vote until the last day of Congress, March 3. The case was never called up again. The Journal of the House, page 401, shows that on February 14 an effort was made to unseat William Vandever and give his seat to Le Grand Byington, his contestant. This was defeated by a vote of 84 against 28. And on February 28 he was still in the House. On page 1395 of the Globe he offered the following amendment to the civil appropriation bill:

For completion of the custom-house at Dubuque, Iowa, \$25,000.

Congress adjourned four days later, and during those four days no action was taken in Mr. Vandever's case. Poore's Manual says:

William Vandever, of Iowa, served in Congress from December 5, 1860, to March 3, 1863, and served in the Union Army as colonel in 1861.

The committee also cite the case of Gen. James H. Lane, of Kansas. His seat was contested by Stanton.

The Senate Journal of August 2, 1861, page 170, and of August 3, 1861, page 182-3, shows that an effort was made to unseat Senator James H. Lane and to seat Frederick P. Stanton in his place but it was defeated, and Senator Lane continued in the Senate, serving from July 4, 1861, to the date of his death in 1866.

The case will be found in Senate Election Cases, volume 6, page 180.

It appears that on January 16, 1862, the Committee on the Judiciary offered the following resolution:

Resolved, That James H. Lane is entitled to a seat in this body.

VAN WYCK CASE.

Lanman's Directory of Congress, page 394, states that—

Charles H. Van Wyck was a member of the Thirty-sixth and Thirty-seventh Congresses.

It also says:

While in Congress he served in the volunteer service as colonel of a regiment, and in 1865 was appointed a brigadier-general by brevet.

Poore's Political Register and Congressional Directory, page 676, states that Charles H. Van Wyck, who was a member of the Thirty-sixth and Thirty-seventh Congresses—

entered the Union Army as colonel of the Tenth Legion, or Fifty-sixth New York Volunteers, and commanded it during the war for the suppression of the rebellion, receiving the rank of brigadier-general.

We see here that this member of Congress served as an officer in the Army at the same time without objection.

The report of the Committee on the Judiciary, page 55, says:

The question is not now presented for the first time, and we have, therefore, precedent, as well as the plain and unequivocal language of the Constitution, to guide us in answering the question propounded.

The report then goes on to enumerate a number of cases in which this question was considered, and on page 58 says:

The same question has been raised since that time and directly passed upon by a vote in Congress.

SERIOUS ERROR OF THE JUDICIARY COMMITTEE.

The report then enumerates additional cases, and on page 59 says:

The action has always been uniform and adverse to the proposition that a person may be a member of either House of Congress (subsequent to its

meeting) and an officer in the Army of the United States or in the volunteer forces mustered into the service of the United States.

The committee are mistaken in this assertion.

It is true that there is abundant precedent in the records of Congress on this subject, but I insist that these precedents are all against the action of the committee and that there is not a single precedent where Congress has expelled one of its members in consequence of his having accepted an appointment in the volunteer service of the United States. In the cases of Gilman Marston, James E. Kerrigan, Edward McPherson, Charles J. Biddle, Samuel R. Curtis, and James H. Campbell the House refused by a ye-and-nay vote to even consider the question.

The statement which I have quoted from page 59 of the report of the Judiciary Committee is not substantiated by the facts. A careful examination of the record shows that the facts are precisely the reverse of those stated by the committee. So far from the action of the House of Representatives having been uniform and adverse to a proposition that a person may be a member of Congress and an officer of the volunteer forces, it has always refused to commit itself to any such action. In other words, the House has never unseated a member in consequence of having accepted a volunteer office. How the committee was led into so grave an error it is difficult to imagine.

THE HIGHEST COURTS HOLD THAT THE INHIBITIONS IN THE CONSTITUTION ONLY APPLY TO PERMANENT OFFICES AND NOT TO THOSE WHICH ARE ONLY TEMPORARY.

Having clearly shown that during the one hundred and ten years of the existence of our Government Congress has never unseated a member because he accepted an office in the Volunteer Army, I will now show that the decisions of the courts of our country, even including those cited by the committee in their report, are adverse to the finding of the committee.

These decisions show that under a proper construction of the Constitution the word "office" refers to an office of a permanent character, or one that has a fixed term of duration, and not to one that in its nature is merely local or temporary.

The Attorney-General of the United States, the highest executive law officer in the world, was familiar with these decisions, and he very clearly makes a distinction between an officer of the Volunteer Army and the Regular Army.

The report from the Judiciary Committee, page 50, states that the court of appeals in *matter of Hathaway* (71 N. Y., 238) held:

The term "public office," as used in the Constitution, has respect to a permanent public trust or employment, to be exercised generally and in all proper cases. It does not include the appointment, to meet special exigencies, of an individual to perform transient, occasional, or incidental duties, such as are ordinarily performed by public officers. As to such appointments, the legislature is left untrammelled and at liberty to invest the courts with power to make them. (Church, Ch. J., Andrews and Miller, J., dissenting.)

They also state, same page, that in *Hall v. State* (39 Wis., 79, chap. 40, laws of 1857) the court said:

It may be difficult to draw the exact line between an office and a mere service or employment, but, as already observed, when public functions are conferred by law upon certain persons elected by the people or appointed by the legislature, if those functions concern the general interests of the State and are not of a nature merely local or temporary, such persons are public officers, especially if they are paid a salary for their services out of the public treasury.

The report also says:

In *Bunn v. The People* (45 Ill., 397) the court held:

"A person employed for a special and single object, in whose employment there is no enduring element, nor designed to be, and whose duties when completed, although years may be required for their performance, ipso facto terminate the employment, is not an officer in the sense in which that term is used in the constitution of Illinois."

In re *Attorneys, etc.* (20 Johnson, N. Y.), the court defines the legal meaning of the term "office" to be "an employment on behalf of the Government in any station or public trust not merely transient, occasional, or incidental."

General HENDERSON in his report again alludes to the *Hathaway* case, page 51. He says:

In *matter of Hathaway* (71 N. Y., 238-243) the court said:

"Public office" as used in the Constitution has respect to a permanent trust to be exercised in behalf of the Government, or of all citizens who may need the intervention of a public functionary or officer, and in all matters within the range of the duties pertaining to the character in the trust. It means a right to exercise generally and in all proper cases the functions of a public trust or employment."

General HENDERSON also, on page 51, cites a *Kentucky case*. He says:

In *McArthur v. Nelson* (81 Kentucky, 67) the question was up as to whether certain commissioners were district officers, and the case says:

"The first section of the act authorizes the judge of the circuit court to appoint three commissioners, residents of the district, who shall hold their office at the will and pleasure of the judge. It is made the duty of the commissioners to have the court-house constructed, at a cost not exceeding \$50,000, and, to enable them to raise this money, they are authorized to issue bonds, with coupons attached, bearing interest at 3 per cent, payable semi-annually; and, to redeem the bonds and pay the interest, they are further empowered to levy an annual tax on the real and personal property in the district not exceeding 12 cents on the \$100, etc. They are not district officers within the meaning of section 10 of Article VI of the Constitution, but are the mere agents for the district, required by the act to discharge certain duties with reference to the building of the court-house, and when those duties and their employment terminates."

It is true that the committee cited these cases in order to sustain their argument that the Hon. ROBERT R. HITT, the Hon. Nelson Dingley, the Hon. SERENO E. PAYNE, and others should retain their seats, notwithstanding the fact that they had accepted offices created by the Congress of which they were members.

It seems to ordinary minds that Mr. PAYNE and Mr. HITT having each accepted a civil office under the authority of the United States, and the offices filled by them having been created during the term for which they had been elected, their ineligibility is much more evident than in the case of those who had accepted military commissions.

I contend that these citations of decisions by the committee to the effect that the inhibition of the Constitution only refer to offices of a permanent character applies in full force to officers who hold military commissions. This was the view of the Attorney-General of the United States.

ATTORNEY-GENERAL GRIGGS'S DECISION.

I contend that the Attorney-General of the United States has in effect decided this question. In a matter in which the principle is the same, he says:

While an officer in the Volunteer Army may be said to be actively engaged in the military service, he is not permanently so engaged. He is called out to meet an emergency, and must be discharged when the purpose for which he entered the service has been accomplished. Unlike the Regular Army officer, he has not selected the military service for his profession. He has simply responded to a patriotic call, and expects, when the war is over, to return to civil life. His term of military service is uncertain and contingent. He may be taken from his civil duties for a few months, for a year, for two years at the most. The Government does not need or demand a complete and final severance of his relations with civil life. He may be able to make arrangements to bridge over his absence, and on his return resume his former work. Whether he is to be permitted to do this and retain a civil office during a temporary absence is a matter for determination by those to whom he is accountable for the proper discharge of the duties of such office.

Maj. EDWARD E. ROBBINS is one of the members of Congress who, the committee contends, has vacated his seat. The facts in his case are as follows. I read from the report of the committee, page 17:

ROBBINS CASE.

EDWARD E. ROBBINS was elected a member of the Fifty-fifth Congress from the Twenty-first district of Pennsylvania; was duly certified and entered upon the duties of the office on March 15, 1897. War was declared by the United States against Spain early in 1898. On June 21, 1898, he accepted a commission in the Volunteer Army as assistant quartermaster with rank of captain, entering upon the discharge of his duties July 1. The protocol was signed on the 13th of August, suspending hostilities and stipulating the general terms of peace. On October 14, 1898, believing that his services were no longer required, many of the volunteer troops being mustered out, he tendered his resignation, was mustered out of the service, and granted an honorable discharge.

On the 5th of December, 1898, at the regular meeting of Congress, he returned, answered "present" to his name, and resumed his seat. During the time when he was in the military service he drew no pay, but continued to draw his salary as a member of Congress, retained his secretary, and continued to discharge all the duties of such member, and since the sitting of Congress he has been voting and exercising his rights as such.

The above resolution was referred to the Committee on the Judiciary, to inquire whether or not he had vacated his seat by his action, and whether such action should be so taken although he never intended to give up his seat in Congress, and entered the Volunteer Army during hostilities for the mere temporary purpose of discharging a patriotic duty in defense of his country.

This Congress enacted a law creating the Canadian Commission, and \$50,000 was appropriated to pay expenses. This Congress also enacted a law creating the Hawaiian Commission, and \$100,000 was appropriated to pay expenses. Hon. SERENO E. PAYNE was appointed by the President a member of the Canadian Commission, and Hon. ROBERT R. HITT was appointed by the President as a member of the Hawaiian Commission. Both of these gentlemen were members of the Congress which enacted the law creating these commissions. The offices they held were much more permanent in their character than that held by Mr. ROBBINS. If the committee are right in their contention that Mr. ROBBINS forfeited his seat, then much more were these gentlemen's appointments violative of both clauses of the articles of the Constitution, which I have cited, while under no circumstances could it be contended that Mr. ROBBINS's appointment was violative of anything except the latter clause.

MR. DE ARMOND, A MEMBER OF THE JUDICIARY COMMITTEE, CRITICISES THE COMMITTEE'S ACTION.

Hon. DAVID A. DE ARMOND, a member of the Judiciary Committee, in a minority report, explains his view upon this subject. He says:

Unconsciously, I think, the committee regarded the instruction of the House in the light of the antecedent understanding of the scope of the investigation and action originally proposed. In this view, it seems, special prominence has been given to the status of the members of the House who were appointed to military office. However restrictive or comprehensive the resolutions under which the committee proceeded may have been by original intent, the language employed in them is broad enough, as the committee determined, to cover the cases of other members of the House who accepted places upon commissions created under legislation of the present Congress.

At the same time it does not appear that the committee dwelt upon the evils which might result from giving Congressmen civil office, the creation of their own legislative acts, to anything like the same extent that it dwelt upon the bad results likely to flow from the disregard of the second branch of the paragraph of the Constitution above cited. It is not thought improbable that this difference in estimating the weight of these kindred parts of

the provision under consideration is traceable in some degree to a preconceived notion, not embodied in the resolutions before the committee, but evidenced otherwise and earlier, that the case of the army appointee is the one to be dealt with. But, however this may be, it is evident that the committee was much more impressed with the importance of holding rigorously to the strict letter of the Constitution as applicable to the military officer than as applicable to the appointee to a post made by the Congress of which the appointee was or is a member.

The committee decided that members of Congress holding civil offices may retain their seats, and yet utterly inconsistent with this decision, they say, on page 62:

It may be said that there are many offices under the United States of little importance and carrying little or no pay, and that it can not be possible that the framers of the Constitution contemplated forbidding a member of the National Legislature to hold one of these small offices. This is not the question. No line could be drawn between the large and the small offices. The principle declared was that a member of the Congress of the United States shall not hold any office under the United States and retain his seat as a national legislator.

MR. PARKER, A MEMBER OF THE JUDICIARY COMMITTEE, CRITICISES THE COMMITTEE'S ACTION.

Mr. PARKER of New Jersey, a member of the Judiciary Committee, in his able dissenting opinion, on page 6, says:

The majority hold that acceptance of an office for ever so short a time involves forfeiture of membership forever. This should not be. Neither the Constitution nor policy demand it. Attorney-General Griggs does not hold it, but the contrary.

Acceptance of a permanent office may be held, and should probably be held, by the House to vacate the membership permanently. Acceptance for an emergency, whether military or civil, of a temporary office may, and in case of public necessity should, be held by the House at most to create only a temporary vacation of the seat—that is, a suspension of membership during the emergency.

The whole question is for the House. No self-acting abrogation of membership has ever come to pass. No member has ever lost his right to his place until the House has acted. General Wheeler, by his brief (Report, page 31), truly says: "Congress, by its practice for one hundred years, has assumed the clause in the Constitution as directory and not mandatory."

The Constitution in this regard is a means by which the House may protect itself, but only if it see the need of protection.

Mr. PARKER of New Jersey also says:

We would all say that if a member of the House accepts a place in the Regular Army, which is a life appointment, the House should certainly declare his seat vacant and order a new election, because he has declared an intention permanently to incapacitate himself as a member. This principle applies and was enforced as to a member who accepted a commission in the militia of the District of Columbia because he held a permanent office under the direct and continuing command of the President. Whether this decision would now be made if the question were new is somewhat doubtful.

An entirely different result is arrived at as to the State militia. It is true that the State militia is organized under the Constitution of the United States and that its officers, though appointed by the States, "hold office under the United States," and are subject to the direct call of the President (see the militia law, Rev. Stat., sec. 1642). But until such call is made they are under the training of the State, and it has never been pretended that a member could not be an officer of the State militia because, until such call, he is not "called into the service of the United States" (to follow the words of the Constitution, see Art. I, sec. 8, paragraphs 15 and 16, and Art. II, sec. 2, paragraph 1), and is not for practical purposes holding active office.

Yet, if he should be called out by the President, even to put down a riot, he certainly becomes for the time an officer of the United States, and so long as he is in the service of the United States he can not exercise the functions of a member of Congress. But who would say, as a practical matter, that under those circumstances it would be good sense for the House to declare the seat forfeited, so that he could not return there after the riot was put down? His membership would only be suspended. But by the reasoning of the majority report it would be gone forever.

The examples are not exclusively military. If a member of the House be admitted to practice at the bar of the United States Supreme Court, he becomes thereby and beyond question an officer of that court of the United States, and holds office under the United States; but common sense says that this is an office not to be exercised continuously, but from time to time when he appears in court, and is not such as was contemplated by the constitutional prohibition.

So, if a member be a Supreme Court commissioner or notary, common sense says, "De minimis non curat lex," and just as such officers have been allowed to act as electors under a precisely similar provision, no suggestion has been made that they are not likewise Representatives at least until the House in its discretion shall take action thereon. (See Article II, section 1.)

In brief, this provision was intended to be a practical provision. There may be doubt whether temporary volunteer office under a special emergency statute was intended to be within its prohibition at all. The section itself recognizes that military offices may be created during the term of the member of the House, and that a member can be appointed to such office, and so long as such person holds such an office and is under the direction of the President as Commander in Chief his membership is suspended, and he is not and can not be a member of the House; but, in view of the fact that such appointment may be only temporary, to execute the laws of the Union, or to put down a riot, or, in this case, till the end of a war, it may create a mere suspension of membership unless action be taken to forfeit it.

The question is, therefore, one of what the House in its discretion shall resolve to do, and not of any self-executing law.

ONLY ONE SALARY DRAWN.

When this trouble commenced, the complaint was that the members who had been appointed to military commissions were drawing two salaries. The investigations showed that neither WHEELER nor ROBBINS had drawn two salaries. I wish to say here that since my appointment in the Army on May 4, 1898, I have not drawn one cent of salary as a member of Congress, nor one cent to remunerate me for expenses paid out by me for clerk hire.

The report of the committee that on June 3, 1898, I was paid my May salary is incorrect, and this mistake has been corrected by the Sergeant-at-Arms. I also state that when I heard of the contention about the two salaries I refrained from drawing any salary whatever, and I have drawn no pay as an officer since drawing my salary for last September.

Something has been said by the Judiciary Committee with regard to holding two lucrative offices at the same time, and on page 53 the committee says:

And again we find the doctrine clearly laid down as follows: "By force of the constitutional inhibition against the holding of two lucrative offices by the same person at the same time, the acceptance of and qualification for a second office incompatible with the precedent one ipso facto vacates the precedent office; and neither a quo warranto, nor other motion, from the office thus vacated is necessary before the vacancy can be supplied." (Blencourt vs. Parker, 37 Texas, 558; Rawle on the Constitution, chap. 19, p. 184.)

This suggestion of the committee has no application, as the committee's investigation has shown them that I am drawing but one salary. The committee then (page 53) quote the following from Rawle, chapter 19:

The public officer being therefore considered with us as having actual living duties which he is bound to perform, and as having no more time than is necessary to perform them, the Constitution expressly excludes him from a seat.

This has no application, because I have been using every effort to perform my duties, and have performed them tolerably well notwithstanding the obstacles which have been placed in my way by those who sought to deprive me of my seat in Congress.

Article 1, section 5, clause 1, says:

Each House shall be the judge of the elections, returns, and qualifications of its own members.

This has been uniformly meant to confer upon Congress the power to determine whether a member who presents himself has been elected according to law, and whether, when elected, he had the qualifications required by the Constitution. It might be contended that it does not mean that, after a member has been duly elected and found duly qualified and sworn in as a member, Congress has the power to expel him except under that clause of the Constitution which authorizes two-thirds to expel a member.

Even if we admit that in the case of the members of Congress in question the President of the United States has appointed them to positions which would disqualify them from becoming members, has the House a right to expel them? The language of the Constitution is (clause 2 of the above section):

The House may punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Up to this time in the history of our Government Congress has never dismissed a member of the House who has accepted a temporary appointment in the volunteer service of the United States. Under our system of government the tribunal which could, with best propriety, give construction to such a clause of the Constitution is the Supreme Court of the United States. For Congress to decide that one of its members, otherwise qualified in all respects, becomes disqualified and subject to expulsion because an appointment has been given him in the volunteer service by the President, might be construed as a rebuke to the Executive.

In conclusion, I will repeat what I said before the committee as to the possible effect of the extreme construction contended for by the majority of the committee:

EVERY AMERICAN CITIZEN IS PRIMARILY A MEMBER OF THE MILITIA.

An officer of the volunteer service does not belong to the regular military establishment, but is a part of the militia of the United States. The general principles upon which governments are founded make it the duty of every citizen to be at all times ready to take up arms in its defense, and the Constitution provides that this militia shall be used "to execute the laws of the Union, suppress insurrection, and repel invasion." It follows, therefore, that every citizen of the United States is primarily a member of the militia.

If it is contended that to be a member of the militia is an office such as was contemplated by the Constitution (Article I, section 6), then an extreme constructionist would contend that it would be impossible to have a Congress, because everyone would be a member of the militia, and, therefore, no one could be a member of Congress. It must be admitted that this is an extreme view, and it may be contended that Congress has met this view by passing a law by which a member of Congress could escape military duty, but it must also be remembered that, with regard to personal exemptions, every Congress is a law unto itself.

Now, bear in mind that we are all primarily members of the militia, and that the Constitution makes it the duty of Congress—to provide for calling forth the militia, to execute the laws of the Union, suppress insurrections, and repel invasions.

Now, supposing it were necessary for the militia in the city of Washington to be called forth for any of these purposes. The members of this House would not fly before the enemy and set such an example to the people, which, if followed, would bring disgrace and ruin to our country, but they would, with the true, brave American spirit which actuates them, leave their seats and confront the enemy of the country, and, by such an example, give an inspiration of patriotism and chivalry to all the people of our land.

If they did so, the extreme constructionist would contend that this patriotic action on the part of members of Congress had dissolved this body and virtually destroyed the Government. All

decisions of all courts hold that a literal construction of any law which could by any possibility bring about such a result is not a construction which should be followed.

I wish to make it quite clear that in nothing I have said have I intended to criticise any member of the Judiciary Committee or any of my fellow-members of Congress. I esteem them all very highly and believe that they have sought to give this case their best judicial opinion, and I believe that those who have taken the extreme view which I have criticised will modify their opinion when they have had time to give the matter calm and careful consideration.

HAWAIIAN COMMISSION.

July 7, 1898, Congress enacted a law of which the following is an extract:

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

Sec. 2. That the commissioners heretofore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

Sec. 3. That the sum of \$100,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended, at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Approved July 7, 1898.

It was pursuant to and under this law that Hon. ROBERT R. HITT was appointed one of the commissioners. He accepted the appointment, and is still a member of the commission. He was a member of the House on July 7, 1898, when the law was enacted, and is still a member.

Not only was Mr. HITT a member of the House which enacted this law, but, as chairman of the Committee on Foreign Affairs, he reported it to the House and controlled its consideration upon the floor of the House, making speeches in its favor.

CANADIAN COMMISSION.

The authority for the appointment of the Canadian Commission is found in sections 3 and 4 of the act approved July 24, 1897, Statutes of the United States of America, passed at the first session of the Fifty-fifth Congress, 1897, pages 203, 204, and 205; also in pursuance of a provision in the act of July 7, 1898, page 571, an act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes. Said provision is as follows:

Canadian Commission: For the expense on the part of the United States of a joint commission to be appointed for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada, including the compensation of the commissioners representing the United States, the pay of expert service for preparation of papers, for the portion of joint expenses chargeable to the United States, for printing and all other incidental expenses, to be disbursed under the direction of the Secretary of State, \$50,000, to remain available during the fiscal year 1899.

In pursuance of the foregoing law and a provision in the deficiency appropriation bill, Hon. SERENO E. PAYNE has been appointed by the President, has qualified, and is acting as a member of the Canadian Commission.

Mr. PAYNE was a member of the House of Representatives when these laws were enacted, and is still a member of the House.

It will be seen that \$100,000 was appropriated to pay the expenses of the Hawaiian Commission and \$50,000 to pay the expenses of the Canadian Commission.

We see here that two laws are enacted creating offices of great power and that large sums of money are appropriated to pay the expenses of the persons so appointed.

We see that two members of Congress who were members of the Congress which enacted the laws which created these offices were appointed commissioners on the commissions which they had helped to create.

The Judiciary Committee assert that the appointment of these two members of Congress to these offices, and their continuing to hold these offices, and also continuing to hold their seats as members of Congress, is not in violation of the section of the Constitution which we are considering.

I do not question the absolute correctness of this decision; but if the committee are right in this construction, they certainly are not right in their decision that Hon. EDWARD E. ROBBINS and the other members of this House who accepted military commissions lost their seats in this body by so doing.

GROSS INJUSTICE TO MR. ROBBINS.

About the time of the adjournment of Congress in July Mr. ROBBINS, then being an officer in the National Guard of Pennsylvania, accepted a volunteer commission from the President, and served in Porto Rico, incurring all the dangers and discomforts of a tropical climate during the yellow-fever season.

Mr. ROBBINS received no pay for his military service, notwithstanding that he incurred very heavy expenses in purchasing horses, equipments, uniforms, etc., and he also incurred the expenses of living in Porto Rico.

On October 14 he was mustered out of the service, and from that time ceased to have any connection with the military volunteer service of the United States.

When Congress met in December he was in his seat, and has

since that time been endeavoring to perform his duties as a member of Congress from Pennsylvania. The committee decide that because Mr. ROBBINS accepted this military volunteer commission and served in Cuba during his vacation he forfeited his seat in Congress, and that he is not entitled to any pay as a member of Congress since his acceptance of the volunteer commission, August 19, 1898, and this, too, in the face of the evidence before the committee that he received no pay for his military service.

I respectfully submit that such a construction of the Constitution will not be approved by the American people.

I revere the Constitution, and I want the people of this country to revere it; but I respectfully submit that if Congress should uphold such a construction the reverence of the people for this sacred instrument would not be strengthened.

I have clearly shown—

1. That during a hundred and ten years of our Government Congress has never expelled a member of Congress for accepting a position in the volunteer service.

2. That the decisions of courts cited by the Judiciary Committee were to the effect that under the proper interpretation of the clause of the Constitution under consideration the inhibition did not extend to temporary positions like that of a volunteer officer.

3. That the Attorney-General of the United States, the highest executive judicial officer of the world, rendered a decision to the same effect.

POSITIONS TAKEN ON CONSTITUTIONAL QUESTIONS BY PARLIAMENTARY LEADERS.

I shall now show that this position is collaterally sustained by statesmen of the highest standing and authority on constitutional construction.

During this Congress Mr. REED, a constitutional lawyer, was Speaker and leader on the Republican side, and Mr. BAILEY, also a constitutional lawyer, was the duly constituted leader of the Democrat side.

I might cite many other authorities to sustain me, but I select these as the highest authorities in the world. If I can show that Mr. REED and Mr. BAILEY have taken positions and advocated legislation and parliamentary ruling directly and positively in violation of the clear and unquestioned language of the Constitution, or if I can even show that these eminent constitutional lawyers, while holding the high position stated, allowed this to be done in Congress without opposition or rebuke, I will have clearly established that these eminent constitutional lawyers and parliamentary leaders directly violated the Constitution or that without protest or rebuke they allowed it to be violated apparently for the purpose of facilitating business or to assist in preventing the enactment of legislation they did not approve or to facilitate enactments they did approve.

If I can show this, it certainly proves that Congress is right in sustaining the construction which holds that the acceptance by a member of Congress of a temporary volunteer position does not cause a forfeiture of his seat in Congress. Especially is Congress justified in this construction when it is sustained by the Attorney-General of the United States, the decisions of the highest court of our land, and the action of Congress during the hundred and ten years of the existence of our Government.

I will now cite a few out of the many instances which have fallen under my observation.

VIOLATION OF CONSTITUTION, NO. 1.

Section 5 of Article I of the Constitution says:

Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days.

On Saturday, April 10 (RECORD, page 672), Mr. Dingley said:

I move that when the House adjourns to-day it adjourn to meet on Wednesday next.

This was an adjournment for four days and was directly in violation of the Constitution. This proposition had the full approval of Mr. REED, the Speaker.

The resolution was reported from the Committee on Rules, of which Mr. REED was chairman.

Mr. BAILEY, the leader of the Democracy, made several speeches upon it, in no wise opposing the resolution or suggesting that it was unconstitutional, and he allowed it to be adopted without a yea-and-nay vote or without a division. The whole tendency of Mr. BAILEY's speeches on the subject was that Republican legislation was bad, and for that reason he seemed to be willing for the House to adjourn for four days.

On page 672 he says:

I desire to say to the gentleman from Maine that we are not disposed to insist upon the Republican party legislating, because we sincerely believe that the country suffers when the Republican party legislates.

On page 676 he said:

I think it wisest for us to follow out our oft-repeated declaration that Republican legislation is injurious to the public welfare, and we will not urge the Republican party to do what ought not to be done.

He also said:

For my part I have never seen a time when I wanted the Republican party to legislate. I have never seen the time when I thought the country was so well off with a Republican Congress in session as when it had adjourned.

On May 6 the following resolution was reported by the Committee on Rules, of which Mr. REED is chairman:

Resolved, That on and after this date the House shall meet only on Mondays and Thursdays of each week until the further order of the House.

Mr. BAILEY made several speeches upon this resolution, running on from pages 933 to 939 of the RECORD. He spoke of the bankrupt bill and other questions, but did not utter one word upon the unconstitutionality of the resolution, nor did he oppose it upon that ground. My reverence and regard for the Constitution was such that I rose and offered the following resolution (page 933 of the RECORD):

To recommit the resolution to the Committee on Rules, with instructions to report whether or not the resolution is in violation with the spirit of section 5 of Article I of the Constitution.

As soon as I could get the floor I made a speech showing conclusively that this resolution was a most flagrant violation of the Constitution. I cited several decisions which showed the unconstitutionality of the motion, many of the decisions distinctly stating that an intervening Sunday must be counted, and this was more especially made manifest from the fact that whenever the framers of the Constitution intended to except Sunday they specially so stated.

My speeches on this subject will be found in the CONGRESSIONAL RECORD, volume 30, page 939, May 6, 1897, and pages 1085-1066, May 13, 1897, and 1102-1110, May 17, 1897; and Appendix, pages 250-253.

VIOLATION OF CONSTITUTION, NO. 2.

Section 5, Article I, of the Constitution, says:

Each House shall keep a journal of its proceedings * * * and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

For about a century this privilege was never denied by any Speaker, but during the Fifty-first, Fifty-fourth, and this Congress the present Speaker has frequently denied this right to the House. This action was positively and directly in violation of the Constitution, and the only reason I have ever heard assigned for this violation of this clause of the Constitution is that the refusal by the Speaker of this guaranteed constitutional right enabled him to prevent what he regarded as unnecessary delay in the matter of legislation.

On pages 376 and 377, rules of the House, first session Fifty-fourth Congress, some account is given of the reasons by which the Speaker justified himself in refusing this right, which is guaranteed by the Constitution.

On page 377 is cited a speech of Speaker REED's, in which he says:

If any member, or set of members, undertake to oppose the ordinary course of business, even by the use of the recognized parliamentary motions, it is the right of the majority to refuse to have these motions entertained.

I have read the entire record of the proceedings of the Fifty-fourth Congress when these rules were adopted, and I can not see that Mr. BAILEY made any opposition to this rule; therefore we may assume that he concurs with Mr. REED in the opinion that this plain letter of the Constitution may be violated in order to facilitate the transaction of business.

The rules which authorized the Speaker to ignore this clause of the Constitution were adopted by this Congress on March 15, 1897 (RECORD, pages 16 and 17). There was no yeas and nays vote upon the adoption, and the RECORD does not show that Mr. BAILEY uttered one word in opposition to the adoption of the rules referred to. It seems that Mr. BAILEY was present and voted against the previous question on the resolution.

While Mr. BAILEY was silent on the subject, I, as a lover of the Constitution, denounced this rule and protested against this unconstitutional action and in three speeches clearly showed the evils which could follow this direct violation of the Constitution. (See volume 113, pages 701-703; volume 28, page 585, January 11, 1896, also February 13, 1890.)

VIOLATION OF CONSTITUTION, NO. 3.

Section 5, Article I, of the Constitution, also says:

Each House shall be the judge of the elections, returns, and qualifications of its own members.

For more than a century this right of a member for his qualifications to be determined by the House acting as a whole was never questioned. The Speaker of the present House, who, as before stated, is a constitutional lawyer, assumed to decide for himself this important question which the Constitution says shall be decided by the House. He has in various ways refused to recognize Mr. ROBBINS and other members of the House, as members, and this has been done even after the House, by a vote of 164 to 77, refused to take up a resolution to declare that Mr. ROBBINS and three other members were not members.

The Speaker went so far in Mr. ROBBINS's case as to refuse to sign the certificates which would enable Mr. ROBBINS to draw his pay as a member of the House; and this, too, in the face of the fact that the evidence before Congress showed that Mr. ROBBINS drew no pay as an officer of the Army, and that the date of Mr. ROBBINS's muster in the service was August 19, 1898, and his discharge

October 14, 1898, thus showing that Mr. ROBBINS's service in the Army was gratuitous and was confined to the Congressional recess, when most of his fellow-members were enjoying rest and seeking physical comfort.

The arbitrary assumption on the part of the Speaker of the House of Representatives to determine who are members and who are not is a very dangerous violation of the Constitution. Suppose the Speaker is interested in a measure which he wants passed and he finds there is a majority of two or three against him, he would only have to cite Mr. REED's action in this Congress as a precedent, and, upon his ipse dixit, decline to recognize two or three members who were opposed to him and decline to allow them to vote, and in that way enact the measure into law to which the majority of the House was opposed. If he has a right to decide that four members of the House, who have been duly elected and commissioned by their States, are not entitled to act as such, he has a right to say that any number are not entitled to act.

When Mr. REED came to Washington in December he refused to sign the certificates of Mr. ROBBINS, and I am informed that he directed the Sergeant-at-Arms not to pay him any salary. Mr. REED justified himself in this upon the ground that Mr. ROBBINS's action in volunteering to fight for his country in the war with Spain had vacated his seat in Congress.

The fourteenth amendment of the Constitution of the United States says:

When the right to vote at any election for * * * Representatives in Congress * * * is denied to any of the male inhabitants of any State, being 21 years of age and a citizen of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

Now, notwithstanding this article of the Constitution, the constitutions of the States of Massachusetts, Pennsylvania, Delaware, California, and many other States have denied the right to vote to persons for reasons other than those set forth in the fourteenth amendment, namely: either because they could not read or write, or because they had not paid taxes, or because they expected to receive pay or reward for the giving or withholding of a vote, and for very many other reasons. Congress, however, has not reduced the representation of any of these States, although according to the strict letter of the Constitution it could be contended that Congress had the right to do so.

Now, if the precedent established by Speaker REED should be followed and acted upon by one of his successors, and he should decline to recognize members from States, the constitutions of which deny suffrage for reasons other than those stated in the fourteenth amendment, I respectfully ask if such action would be more arbitrary or illegal than the action of Mr. REED in individually deciding that Mr. ROBBINS was not a member and denying the rights of a member to him.

As Mr. BAILEY, the Democratic leader, made no objection to this action upon the part of the Speaker in refusing to recognize Mr. ROBBINS and his three fellow-members, it is therefore inferred that he concurred with Mr. REED upon the propriety of this action, notwithstanding that it plainly violated the words of the Constitution.

Mr. PARKER, a member of the Judiciary Committee, in his able minority report in opposition to the action of the majority of the committee, shows very clearly that the provisions of the Constitution regarding membership are intended to enable the House to exercise its judgment and discretion, and in calling attention to the nonaction of the House as to the fourteenth amendment, says:

Congress has not thought it advisable or politic to attempt to diminish the basis of representation of the various States, whether in Massachusetts or South Carolina, because the right to vote is abridged, or because educational and other qualifications are enforced, so as to bring the case within the fourteenth amendment.

The House has always treated these questions of membership as largely within its discretion.

Mr. PARKER also says:

The sacred provisions of the Constitution, whether for the protection of the citizen or of the legislature, ought to be enforced as well as construed in a sensible, liberal, and practical way. High policy is at the basis of all government.

VIOLATION OF CONSTITUTION, NO. 4.

Section 7 of Article I of the Constitution says:

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

In the Forty-seventh Congress the House passed House bill 5538. This bill, consisting of only two pages, provided for raising revenue by internal taxation, but its rates were lower than those of the law then existing. There was not one line or one word in the bill about tariff taxation. The title of the bill was—

A bill to reduce internal-revenue taxation.

The bill was sent to the Senate, and that body, instead of amending it, struck out every word of the House bill, which, as before stated, contained but two pages, and then substituted a bill consisting of 103 pages, which was created and originated in the Senate. Mr. REED was then a member of the Committee on Rules.

Instead of resenting this violation of the Constitution on the part of the Senate, he used all his efforts to aid in this unconstitutional proceeding, and reported what he called a rule to the House, the purpose of which was to send the bill into conference, where five members of the House and five members of the Senate would have full control of it, and when they reported it back it would become a privileged measure, and being a conference report it could not be amended by any member of the House.

It is difficult to conceive of a more flagrant violation of the Constitution than was thus sought to be perpetrated. Not only was the House deprived of its constitutional right to originate this revenue bill, but the representatives of the people were deprived of the right even to offer an amendment to it. These revolutionary and unconstitutional proceedings may be found in the CONGRESSIONAL RECORD, volume 62, February 24, 1883, page 3259; February 26, 1883, pages 3305 to 3318, and February 27, 1883, pages 3335 to 3350. The bill which was passed by these unconstitutional measures was a bill the effect of which was to largely increase tariff taxation.

At that time I was a young member of the House, but in my speech of March 8, 1883, when the conference report was by this unconstitutional means brought before the House, I protested against this unconstitutional action. I said:

I will here suggest, Mr. Speaker, that there is a legal objection to that portion of the bill which regulates the tariff. Anyone who examines the source from which this portion of the bill emanates must admit that it is in clear violation of the Constitution. Section 7, Article I, of the Constitution, reads:

"All bills for raising revenue shall originate in the House of Representatives."

This is a bill for raising revenue by tariff taxation, and, let me ask, where did this bill originate? Not one line of it, as before stated, was ever in the House of Representatives until to-day. It is the Senate bill, letter for letter.

This speech will be found in the CONGRESSIONAL RECORD, volume 63, March 8, 1883, Appendix, page 342.

This was the first time in the history of our Government that such unconstitutional action was ever taken. Five years later it was repeated. On July 31, 1888, the House passed and sent to the Senate a tariff bill, No. 9051, known as the Mills bill. It contained 66 pages. Its title was:

A bill to reduce taxation and simplify the laws in relation to the collection of the revenue.

On January 23, 1889, the Senate acted upon this bill. They struck out every word of the 66 pages of the bill which passed the House and substituted a bill of 163 pages, every line and word of which was a Senate bill, and instead of being a bill to reduce taxation it was a bill to largely increase it. When this unconstitutional Senate bill was laid before the House by the Speaker, Mr. REED, who was a member of the Committee on Rules and also a member of the Committee on Ways and Means, said (CONGRESSIONAL RECORD, volume 100, page 1216):

Mr. REED. Subject to a point of order with reference to the measure going to the Committee of the Whole, I desire to propose that the House concur in the Senate amendment, or, if the House determines to nonconcur, that a committee of conference be granted.

Mr. REED then went on and made a speech, urging that the action he proposed be adopted. Either plan would prevent the House as a body from having anything to do with framing this bill.

VIOLATION OF CONSTITUTION, NO. 5.

Again, section 7 of Article I of the Constitution says:

Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States. If he approve he shall sign it, etc.

In 1890 the House and Senate passed a bill known as the McKinley bill. The unquestioned facts regarding this bill are set out in the statement of the case of Field v. Clark, page 651, volume 143, Reports of the Supreme Court of the United States, as follows:

That in engrossing the bill a clause known as section 30, relating to a rebate of taxes on tobacco, which was shown by the Journals of both the House of Representatives and the Senate to have been regularly passed by both Houses of Congress, was omitted, and that the engrossed act, as attested by the Vice-President and the Speaker of the House, as approved by the President, and as deposited with the Secretary of State, was not the act that passed the two Houses of Congress, and was therefore not a statute of the United States in accordance with the provisions of the Constitution.

Mr. REED made no protest against this unconstitutional bill, but I immediately proceeded to show by decisions of the United States Supreme Court and the highest courts of the States that such a bill was a violation of the Constitution and was a nullity.

This speech is found in the CONGRESSIONAL RECORD, volume 115, December 2, 1890, pages 28-31, and December 5, 1890, pages 147-153.

The attitude of those who contend that this mutilated bill should stand as law is absolutely untenable. It is contended and the records go very far to show that this bill could never have passed Congress with section 30, about tobacco, omitted. All tariff bills are compromise bills, and all reasonable persons will admit that when a bill is passed with certain sections containing provisions without which it could not have been passed, it would be a gross fraud to engross the bill without these sections and then contend that the mutilated bill, when so engrossed and signed by the President, has become law. Such a bill has not complied with the constitutional provisions. The bill signed by the President is a different bill from the one passed by the House and Senate.

Since that time neither Mr. REED, nor Mr. BAILEY, nor any of the members who are seeking to expel their fellow members, ever made a protest against the validity of this law although it was clearly in violation of the written words of the Constitution.

VIOLATION OF CONSTITUTION, NO. 6.

Section 9 of Article I of the Constitution says:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

It will be seen that the Constitution specially and positively declares that duties, etc., shall be uniform.

On March 18, 1897, a meeting of the Ways and Means Committee was called. Mr. Dingley, the chairman, presented a printed bill which had been prepared by the Republican members, the Democratic members never having been permitted to be present at any of the meetings. Mr. McMillin, a member of the committee, offered the following resolution:

That Wilson rates be restored on wool and woolsens.

Mr. BAILEY voted against this motion. Some of the Wilson rates which Mr. McMillin sought to have put in the bill are found in the first column of the following table; the corresponding Dingley rates, which Mr. BAILEY's vote favored retaining in the bill, are found in the second column.

Description of articles.	Wilson-bill rates.	Dingley-bill rates.
	Per cent.	Per cent.
Blankets, valued at not more than 30 cents per pound.....	25	106.53
Blankets more than 3 yards in length, valued at not more than 50 cents per pound.....	40	154.89
Valued at more than 50 cents per pound.....	50	113.25
Flannels for underwear, valued at not more than 30 cents per pound.....	25	101.60
Other clothing, ready made, articles of wearing apparel, except knit goods, made up or manufactured wholly or in part, and not specially provided for, valued at less than \$1.50 per pound.....	45	104.96
Shawls, woolen or worsted, valued at not exceeding 40 cents per pound.....	35	195.85
Knit fabrics, valued at not exceeding 40 cents per pound.....	35	184.75
Hats of wool, valued at not less than 30 cents per pound.....	25	235.58
Silks, valued at not more than 30 cents per pound.....	25	379.94
Wool:		
Class 1.....	Free.	66.28
Class 2.....	Free.	55.97
Class 3.....	Free.	41.39
Shoddy.....	15	269.75
Mungo and flecks.....	15	36.84
Valued at more than 40 cents per pound.....	40	114.52

I respectfully submit that to tax common blankets 154 per cent, shawls 195 per cent, woolen hats 235 per cent, felts 379 per cent, and shoddy 269 per cent is in direct violation of the clause of the Constitution which I have quoted, for two reasons: First, the purpose of this tax is not to collect money for any of the purposes mentioned, but is primarily for the purpose of enabling those who have such articles for sale to keep out competition and to charge a higher price for them. It is also in violation of the Constitution because the taxes are not uniform but are excessive.

With regard to this vote the following is recorded in the minutes of the committee:

Mr. BAILEY prefaced his vote by the explanation that he objected to giving manufacturers free wool and then allow them a protective duty, as was done in the Wilson bill.

It will be seen by the above that in giving this reason for preferring the high rates of the Dingley bill wool schedule over the low rates of the Wilson bill wool schedule Mr. BAILEY makes no allusions to their unconstitutionality.

My vote and action were directly opposed to those of Mr. BAILEY, and in my speech in the House of Representatives I opposed the wool schedule of the Dingley bill as unwise, oppressive, and unconstitutional.

My speeches on this subject are found in CONGRESSIONAL RECORD, volume 30, running from page 75 to 2655.

I will not weary my friends with further citations; but those already given show that I have in all instances been a defender of the Constitution, while those Congressmen who are seeking to expel their fellow-members upon what they call constitutional ground were silent and inactive when the Constitution was assailed, and some of them were active in the assaults upon the Constitution, to which I have made reference.

If I have succeeded in refuting the charge that Mr. ROBBINS, Mr. COLSON, Mr. CAMPBELL, and myself are wanting in respect for the Constitution, and in proving that we are devoted friends and upholders of that instrument, I shall feel that I have accomplished all I sought in preparing this statement.

In conclusion, I beg to say that I have endeavored to say nothing to which my fellow-members could object, but have sought to make the defense in the kindest and most respectful manner possible. Whatever I may have said regarding the official action of my colleagues was not intended as criticism, but was simply an effort to make my argument clearer and more forcible.

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VIOLATION OF CONSTITUTION, NO. 6.

Section 8 of Article I of the Constitution says:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

It will be seen that the Constitution specially and positively declares that duties, etc., shall be uniform.

On March 18, 1897, a meeting of the Ways and Means Committee was called. Mr. Dingley, the chairman, presented a printed bill which had been prepared by the Republican members, the Democratic members never having been permitted to be present at any of the meetings. Mr. McMillin, a member of the committee, offered the following resolution:

That Wilson rates be restored on wool and wooleens.

Mr. BAILEY voted against this motion. Some of the Wilson rates which Mr. McMillin sought to have put in the bill are found in the first column of the following table; the corresponding Dingley rates, which Mr. BAILEY's vote favored retaining in the bill, are found in the second column.

Description of articles.	Wilson-bill rates.	Dingley-bill rates.
	Per cent.	Per cent.
Blankets, valued at not more than 30 cents per pound.....	25	106.33
Blankets more than 3 yards in length, valued at not more than 50 cents per pound.....	40	154.39
Valued at more than 50 cents per pound.....	50	113.25
Flannels for underwear, valued at not more than 30 cents per pound.....	25	101.60
Other clothing, ready made, articles of wearing apparel, except knit goods, made up or manufactured wholly or in part, and not specially provided for, valued at less than \$1.50 per pound.....	45	104.96
Shawls, woolen or worsted, valued at not exceeding 40 cents per pound.....	35	195.85
Knit fabrics, valued at not exceeding 40 cents per pound.....	35	184.75
Hats of wool, valued at not less than 30 cents per pound.....	25	235.58
Silks, valued at not more than 30 cents per pound.....	25	379.94
Wool:		
Class 1.....	Free.	66.38
Class 2.....	Free.	55.97
Class 3.....	Free.	41.39
Shoddy.....	15	269.75
Mungo and flecks.....	15	36.84
Valued at more than 40 cents per pound.....	40	114.52

I respectfully submit that to tax common blankets 154 per cent, shawls 195 per cent, woolen hats 235 per cent, felts 379 per cent, and shoddy 269 per cent is in direct violation of the clause of the Constitution which I have quoted, for two reasons: First, the purpose of this tax is not to collect money for any of the purposes mentioned, but is primarily for the purpose of enabling those who have such articles for sale to keep out competition and to charge a higher price for them. It is also in violation of the Constitution because the taxes are not uniform but are excessive.

With regard to this vote the following is recorded in the minutes of the committee:

Mr. BAILEY prefaced his vote by the explanation that he objected to giving manufacturers free wool and then allow them a protective duty, as was done in the Wilson bill.

It will be seen by the above that in giving this reason for preferring the high rates of the Dingley bill wool schedule over the low rates of the Wilson bill wool schedule Mr. BAILEY makes no allusions to their unconstitutionality.

My vote and action were directly opposed to those of Mr. BAILEY, and in my speech in the House of Representatives I opposed the wool schedule of the Dingley bill as unwise, oppressive, and unconstitutional.

My speeches on this subject are found in CONGRESSIONAL RECORD, volume 30, running from page 75 to 2655.

I will not weary my friends with further citations; but those already given show that I have in all instances been a defender of the Constitution, while those Congressmen who are seeking to expel their fellow-members upon what they call constitutional ground were silent and inactive when the Constitution was assailed, and some of them were active in the assaults upon the Constitution, to which I have made reference.

If I have succeeded in refuting the charge that Mr. ROBBINS, Mr. COLSON, Mr. CAMPELL, and myself are wanting in respect for the Constitution, and in proving that we are devoted friends and upholders of that instrument, I shall feel that I have accomplished all I sought in preparing this statement.

In conclusion, I beg to say that I have endeavored to say nothing to which my fellow-members could object, but have sought to make the defense in the kindest and most respectful manner possible. Whatever I may have said regarding the official action of my colleagues was not intended as criticism, but was simply an effort to make my argument clearer and more forcible.

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